

Title 22 Modifications – Exhibit 2

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Chapter 22.100 – Applicability of Community Planning Standards

22.100.010 – Purpose of Article 10

The chapters in this Article provide standards for proposed development and new land uses that are specific to each of the communities and villages defined by the Land Use Element with urban or village reserve lines. These standards are mandatory requirements, intended to address the local planning issues of each planning area.

22.100.020 – Applicability

- A. General applicability.** The standards of this article apply to all proposed development and new land uses. Compliance with these standards is required to enable a permit for a new use to be approved, and for a newly-constructed project to be used. These standards apply to proposed projects in addition to all other applicable provisions of this Title. Where these standards conflict with other provisions of this Title, these standards control, except as provided in Subsection B.
- B. Density – TDC program.** Where additional density is granted through participation in the TDC Program (Chapter 22.24 or 22.26), the base density determined in compliance with Chapters 22.24 or 22.26 is established from the standards of this article for minimum parcel size. Any density bonus shall comply with the provisions of Chapters 22.24 or 22.26, unless the density bonus is specifically set forth in the area plan standard.
- C. Effect of designations.** In any case where a property is designated in the Open Space (OS) or Recreation (REC) land use categories, in the Sensitive Resource Area (SRA) or Historic Area (H) combining designations, or where standards identify a need for open space preservation through easement, contract or other instrument, these designations shall not in themselves convey or imply any right of public use, access, trespass, or violation of privacy.

Chapter 22.102 – Carrizo Area Communities and Villages

22.102.010 – California Valley Standards

The following standards apply within the California Valley Village Reserve Line in the land use categories or specific areas listed.

- A. Community-wide standards.** The following standards apply to all lands within the California Valley village reserve line, in the land use categories or specific areas listed.
1. **Road improvements - Residences.** The establishment of a new residence shall require the construction of an all-weather 16-foot-wide road with a minimum of 4 inches of Class III aggregate base across the property frontage and to the nearest publicly-maintained road. Subsequent development on the opposite side of the road is to complete an additional 4 feet of improvement. These improvements are to be completed prior to occupancy.
 2. **Offer of dedication.** Prior to the issuance of a land use permit, offer for dedication a public right-of-way across the entire property frontage along the proposed road. Offered rights-of-way are to follow platted alignments and are to be one-half of a 50-foot wide road Section from the centerline.
- B. Residential Rural (RR) - Limitation on land division.** Existing lots of record in the Residential Rural land use category shall not be further subdivided.
- C. Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.
1. **Septic tank use.** Percolation test results demonstrating soil conditions adequate to support safe septic system operation are to be provided the Building Official prior to issuance of any Building Permit. The tests shall be performed in compliance with the Building and Construction Ordinance.
 2. **Fence heights in setbacks.** Fencing located within a required front or street side setback may be constructed higher than three feet only if it is open wire or chain link and no higher than 6'-6".
 3. **Outdoor storage of agricultural vehicles.** A maximum of one agricultural vehicle may be stored outdoors accessory to a residence regardless of whether agricultural activities occur on a site, but within the buildable area of a site consisting of at least 2.5 gross acres. The maximum area of such storage shall be 300 square feet.

4. **Non-standard mobile homes.** The minimum site area for a mobile home that does not comply with the provisions of Section 22.30.450, and that is proposed for an individual lot outside of a mobile home park shall be 2.5 gross acres.

Chapter 22.104 – North County Area Communities and Villages

22.104.010 – Creston Village Standards

The off-street parking requirements of Chapter 22.18 are waived in the Commercial Retail (CR) land use category within the village of Creston for any commercial use with a total floor area less than 2,500 square feet.

22.104.020 – Garden Farms Village Standards

The following standards apply within the Garden Farms Village Reserve Line in the land use categories or specific areas listed, in addition to the requirements of Section 22.94.080.

- A. Commercial Retail (CR).** The following standards apply within the Commercial Retail land use category.
 - 1. **Landscaping and parking requirements.** Any new development or expansion of existing commercial uses shall include drought-tolerant landscaping of front and side yards. Existing parking lots shall be improved with landscaping and identified entrances and exists.
 - 2. **Building design requirement.** Architectural style shall be compatible with the existing styles and scale within Garden Farms.
- B. Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.
 - 1. **El Camino Real setback.** A 50-foot setback is required from the El Camino Real right-of-way for residential, residential accessory and agricultural accessory development on properties adjacent to El Camino Real.
 - 2. **Landscaping requirement.** A landscaping plan is required with new subdivisions that will provide landscaping to buffer or partially screen project development from Santa Margarita, Highway 101 or El Camino Real as applicable.

22.104.030 – Heritage Ranch Village Standards

The following standards apply within the Heritage Ranch village reserve line, specifically to the Heritage Ranch project, in addition to the requirements of Section 22.94.070.

A. Communitywide standards. The following standards apply within the Heritage Ranch project, regardless of the applicable land use category.

1. **Specific Plan.** The Land Use Element, North County Area Plan and this Chapter serve as the Specific Plan for development of Heritage Ranch in compliance with Government Code Sections 66450 et seq. and 66474.5 et seq.
2. **Limitation on residential units.** Secondary dwellings are not permitted. The total number of residential units (including existing RV sites) allowed at Heritage Ranch shall be 2,900 in accordance with the following table:

Heritage Ranch Residential Units			
Land Use Category/Use	Units/lots as of 2006	Additional Units/lots	Total Units/lots
Residential Rural	30	-	30
Residential Single Family	900	338	1,238
Mobile home	488	-	488
Residential Multi-Family	90	215	305
Recreation / Recreational Vehicle Subdivisions	201	-	201
Recreation / 012-191-068 ptn formerly TR 1503	-	187	187
Residential Suburban	371	80	451
Total	2,080	820	2,900

3. **Circulation standards.** Applications for development, land divisions and new land uses within the Heritage Ranch village reserve line shall include provisions for the following.
 - a. Provide the County with irrevocable offers of dedication and construct all streets and roads to applicable County Standards. All streets and roads shall be owned and maintained by the Heritage Ranch homeowner's association or considered for maintenance under a zone of benefit within the applicable governmental jurisdiction.
 - b. Development, subdivision or construction which generates additional traffic shall contribute to a proportional share of the cost to fund road improvements necessary to mitigate traffic impacts to Lake Nacimiento Drive, either as part of discretionary approvals or upon adoption of an ordinance establishing road improvement fees.

4. **Water and wastewater disposal.** Prior to application acceptance, land use, land division, and building permit applications shall include a written verification of water and sewer service and or acceptable wastewater disposal is proposed from the Heritage Ranch Community Services District.
5. **Water consumption.** As each new phase of development is proposed, the applicable land use permit or land division application shall include a tabulation of existing water use within the total project and an estimate of the amount of water needed to supply the proposed new development. This data shall be reviewed and approved by the Heritage Ranch Community Services District prior to approval of the development application.
6. **Water resource monitoring.** The applicant shall submit figures showing the total amount of water being used in the project to the Heritage Ranch Community Services District.
7. **Wastewater Disposal.** All applicable land use permit or land division applications shall submit a wastewater disposal plan to include the amount of flow, disposal issues and options for alternative disposal for review and approval by the Heritage Ranch Community Services District .
8. **Site planning and development standards.** Proposed development shall be designed and constructed in compliance with the following standards.
 - a. **Snake and Dip Creeks.** Retain Snake and Dip Creeks in their natural state, except for stock ponds, creek crossings, and low intensity recreational uses such as trails and picnic areas.
 - b. **Vegetation Protection.** Site new development to avoid areas of dense brush and oak woodland vegetation to the maximum extent feasible.
 - c. **Slopes.** Site new development to avoid areas with slopes exceeding 30 percent.
 - d. **Use Limitation.** No mobile home, recreational vehicle, tent or other temporary living quarters shall be located on any lot not specifically authorized for such use.
 - e. **Setback.** Provide a minimum open space setback of 500 feet from the centerline of Lake Nacimiento Drive for all structures.
 - f. **Tree Protection.** Restrict removal and impacts to the root zones of oak or grey pine trees which measure more than eight inches in diameter at four feet above existing grade to proposed road right-of-ways, parking areas, and building pads, except where authorized by an approved Zoning Clearance, Minor Use Permit, Conditional Use Permit, or Tree Removal permit.

- g. **Tree Replacement.** Replacement trees shall be planted at a ratio of two trees for every one tree impacted and four trees planted for every one tree removed. Replacement trees shall be one gallon and shall be the same species as the tree removed or impacted.
 - h. **Parking.** Provide a minimum of two parking spaces, one of which shall be covered, for each new residential unit in a new development.
 - i. **Biological Resources.** At the time of construction, land use or land division permit application, whichever occurs first, the applicant shall provide a botanical and biological report, prepared by a qualified botanist and biologist, approved by the environmental coordinator.
 - j. **Botanical surveys.** Surveys shall be performed during the appropriate blooming period for the plant species. Any sensitive species/communities or trees found within project boundaries shall be shown on all applicable construction plans. New structures shall be placed in a manner that avoids removal of special status species, sensitive plant communities, and trees. If the property owner shows the County that the special status species, sensitive plant communities, or trees cannot be avoided, the project proponent shall obtain appropriate permits from other agencies with jurisdiction (e.g., USFWS or CDFG), to ensure that there is no violation of policy or legislation that protects the special status plant species, sensitive plant community, or trees. As appropriate, the project proponent shall also provide the County with a plan to relocate and/or replace special status plants and/or trees that are removed or impacted.
 - k. **Low Impact Development (LID).** All development that will result in an increase in impervious area shall incorporate LID design features into the project. The selected LID features shall address downstream flooding, higher peak flows, a reduction in groundwater recharge, and polluted runoff
9. **Subdivision standards.** The following standards apply to all new land divisions.
- a. **Limitation on further subdivision.** Further division of existing parcels created by Tracts 424, 446, 447, 452, 466, 474 and 475 is prohibited.
 - b. **Deed restrictions for slopes.** New land divisions shall provide deed restrictions on building sites to limit building to areas with slopes less than 30 percent.
 - c. **Clustering requirement.** New land divisions in areas other than Residential Single Family, shall be designed in compliance with the cluster division provisions of Section 22.22.140.

- d. **Fire hydrants.** Fire hydrants shall be provided by the developer at locations approved by the California Department of Forestry between development clusters.
- e. **Common ownership lots.** All lots designated as common ownership lots within any subdivision shall be conveyed to the Heritage Ranch Property Owner's Association by grant deed. These lands and facilities shall be conveyed to the association, and shall be offered for dedication to the County for acceptance and administration in the event that the property owner's association does not fulfill the commitments set forth in its articles of incorporation and bylaws.
- f. **Required open space.** New land divisions shall collectively maintain an open space area of 5,229.30 acres including contiguous areas of the ranch outside and adjacent to the village reserve line. Compliance with the required open space area and its configuration shall be reviewed with each land division application and shall be in compliance within each subdivision with the following table:

Heritage Ranch Open Space Inventory		
Approved Open Space - Within Village	Individual Acres	Cumulative Acres
May, 2006 Total through Tract 1990	3,039.52	3,039.52
Remainder Tract 1910 (Former Lot 153)	703.00	3,742.52
Required Open Space - Within Village		
Remainder Tract 1910	100.00	3,842.52
Remainder Tract 1990	373.00	4,215.52
Tract HRH Subdivision	89.00	4,304.52
Lot 6 of Tract 720: Former Tract 1503	105.00	4,409.52
Village Center	26.65	4,436.17
Former Tract 1666	4.79	4,440.96
Approved Open Space - Outside Village		
Weyrich Certificate Parcels	393.00	4,833.96

Heritage Ranch Open Space Inventory		
Required Open Space - Outside Village		
Lot 6 of Tract 720 ptn outside Village	395.34	5,229.30
Total	5,229.30	5,229.30

10. **Height limitations.** For lots within Tract 452 and 474, two-story structures are allowed only on the following lots:
- a. **Tract 452:** Lots 21-38, 49-55, 58-66, 91-97, 115-118, 140-143, 150-154, 159-199, 207-230, 225-260, and 273.
 - b. **Tract 474:** Lots 1-45.

[Amended 2011, Ord. 3216]

B. Commercial Retail (CR). The following standards apply within the CR land use category.

- 1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the CR land use category may be authorized in compliance with the land use permit requirements of that Section, except: auto, mobile home and vehicle dealers (supplies sales allowed); outdoor sports and recreation; and multi-family dwellings.
- 2. **Sign standards.** One monument sign with a maximum of 60 square feet, is allowed for each 300 linear feet of site frontage or portion thereof. All other signs shall be located on building facades at consistent locations rather than on roofs, and shall be integrated into the architecture of the building.

[Amended 1983, Ord. 2133; 1989, Ord. 2399; 2011, Ord. 3216.]

C. Open Space (OS). The following standards apply within the OS land use category.

- 1. **Limitation on use.** Land uses shall be limited to: a single shooting range, equestrian facilities and incidental camping, hiking and riding trails, picnic areas; grazing and other agricultural uses; public utility facilities; communication facilities; and pipelines and transmission lines, in compliance with the land use permit requirements of Section 22.06.030.
- 2. **Limitation on use - Open space lots.** Use of the open space lots in Tracts 424, 446, 447, 452, 466, 474, and 475 shall be limited to hiking and riding trails, and approved facilities

for recreational, drainage, and utility purposes. These lots shall be retained in permanent open space. Open space lots in future subdivisions shall be subject to this Limitation on use.

[Amended 1982, Ord. 2112; 1983, Ord. 2133; 1989, Ord. 2399]

D. Recreation (REC). The following standards apply within the REC land use category.

1. **Limitation on use.** Land uses shall be limited to the following in the areas shown, in compliance with the land use permit requirements of Section 22.06.030.
 - a. Within the recreational vehicle subdivisions, recreational vehicles and appurtenant uses subject to Subsection D.2.
 - b. Within the marina/launch ramp area, marinas, boat access areas, vehicle storage and outdoor sports and recreation.
 - c. A guest ranch with a public restaurant, organizational camps, outdoor sports and recreation, rural recreation and camping.
 - d. Within the recreational vehicle storage complex, vehicle storage.
 - e. Within the recreational centers, public assembly and outdoor sports and recreation.
 - f. The equestrian center, wilderness, family, and ball parks - outdoor sports and recreation.
 - g. The REC zoned portion of APN 012-191-068 (Portion of Lot 6, Tract 720, formerly Tr 1503) is limited to residential development and recreational vehicle storage. Residential subdivisions are limited to Residential Single-Family cluster divisions or Residential Multi-Family developments with the density as listed in the table provided in Section 22.102.040.A.2. Required open space shall be in accordance with Section 22.102.040A.9.F

[Amended 1983, Ord. 2122; 1986, Ord. 2270; 1989, Ord. 2399; 2011, Ord. 3216.]

2. **Site development standards - New RV lots.** New applications for recreational vehicle subdivisions are subject to the following standards.
 - a. A comprehensive grading, drainage and landscaping plan shall be submitted with the application, providing a minimum of 1,250 square feet of reasonably flat area per lot.
 - b. The tentative tract map shall include CC&Rs that require use of a consistent design and appropriate maintenance on all on-site storage structures.

- c. Each new RV lot shall have a minimum area of 2,500 square feet.

[Amended 1986, Ord. 2270; Deleted subsection 3. 2011, Ord. 3216.]

E. Residential Rural (RR). The following standards apply within the RR land use category.

1. **Limitation on use.** Land uses shall be limited to single-family dwellings, residential accessory uses, home occupations, animal keeping and agricultural uses, in compliance with the land use permit requirements of Section 22.06.030.
2. **Limitation on land division.** Lots existing on the effective date of the Land Use Element shall be maintained at their present size without further land divisions.
3. **Minimum parcel size.** The minimum parcel size for new land divisions is 20 acres.
4. **Sales complex.** Use of the sales complex shall be terminated. Uses of the structure are limited to residential single family or residential accessory uses with building permit approval. If the complex shall be converted to residential use, it will be included in the maximum allowable 2,900 units.

[Amended 2011, Ord. 3216.]

F. Residential Suburban (RS). The following standards apply within the RS land use category.

1. **Subdivision fencing.** New applications shall include a plan and specifications for lot perimeter fencing. The responsibility for the construction of the fencing shall be incorporated into the CC&Rs. This fencing shall be maintained under responsibility of the owner associations through CC&Rs.
2. **Limitation on use - Open space lots.** Use of the open space lots in new land divisions shall be limited to agricultural uses, biking and riding trails, and approved facilities for recreation, drainage and utility purposes. These lots shall be retained in permanent open space use.
3. **Soils reports.** New land division and Conditional Use Permit applications shall include a soils report on the feasibility of on-site sewage systems, if these systems are proposed.

[Amended 1986, Ord. 2270; 2011, Ord. 3216.]

G. Residential Single-Family (RSF). The following standards apply within the RSF land use category.

1. **Limitation on use - Single-family dwellings.** Land uses in Tracts 424, 446, 452 and 474 shall be limited to single-family dwellings, residential accessory uses, and home occupations, in compliance with the land use permit requirements of Section 22.06.030.
2. **Limitation on use - Mobile homes.** Land uses in Tract 475 shall be limited to mobile homes, residential accessory uses, and home occupations in compliance with the land use permit requirements of Section 22.06.030.
3. **Subdivision design.**
 - a. Appropriate open space shall be established through the land division process consistent with the Heritage Ranch Open Space Inventory Table.
 - b. An open space buffer of no less than 200 feet between existing and proposed residences shall be maintained between any new land division and the Ibis Lane residential area.
 - c. All proposed cluster subdivisions shall provide open space areas, with uses limited to agricultural uses, hiking and riding trails and facilities for drainage, parking, and utilities.
4. Subdivisions adjacent to Public Facility (PF) category. Any proposed subdivisions adjacent to the Community Services District wastewater treatment ponds shall record a notice to future property owners of the existence of the wastewater ponds and the possibility of odor. The applicant shall consult with the Heritage Ranch Community Service District to address potential issues with odors and the adjacent residential uses.

[Amended 1989, Ord. 2399; 2011, Ord. 3216.]

H. Residential Rural (RR). The following standards apply within the RR land use category.

1. **Limitation on use.** Land uses shall be limited to single-family dwellings, residential accessory uses, home occupations, animal keeping and agricultural uses, in compliance with the land use permit requirements of Section 22.06.030.
2. **Limitation on land division.** Lots existing on the effective date of the Land Use Element shall be maintained at their present size without further land divisions.
3. **Minimum parcel size.** The minimum parcel size for new land divisions is 20 acres.
4. **Sales complex.** Use of the sales complex shall be terminated. Uses of the structure are limited to residential single family or residential accessory uses with building permit approval. If the complex shall be converted to residential use, it will be included in the maximum allowable 2,900 units.

[Amended 2011, Ord. 3216.]

22.104.035 – Lake Nacimiento Resort Standards

The following standards apply within the Heritage village reserve line, to all land use categories within the Lake Nacimiento Resort project.

- A. Specific Plan included by reference.** The 1976 Lake Nacimiento Resort Specific Plan is hereby incorporated into this Title as though it were fully set forth here. All development within the Lake Nacimiento Resort shall be in conformity with the adopted Specific Plan. In the event of any conflict between the provisions of this Chapter and the Specific Plan, this Chapter shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan shall occur only after appropriate amendment of the Specific Plan.
- B. Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the applicable land use categories may be authorized in compliance with the land use permit requirements of that Section, except sports assembly, and public assembly and entertainment.
- C. Permit requirement.** Any changes to previously approved Conditional Use Permits or Development Plans require Conditional Use Permit approval. Conditional Use Permit approval is required prior to any new construction. Subsequent projects consistent with the approved Conditional Use Permit are subject to the permit requirements of Section 22.06.030.
- D. Resort entrance.** Resort entrance facilities shall be expanded to eliminate traffic congestion on the entry road and at the entry on Lake Nacimiento Drive prior to approval of any additional Conditional Use Permits.
- E. Sewage treatment.** The previously approved sewage treatment plant shall be constructed in accordance with the Specific Plan prior to approval of any additional Conditional Use Permits.
- F. Circulation.** All roads within Lake Nacimiento Resort shall be improved and maintained by the developer.

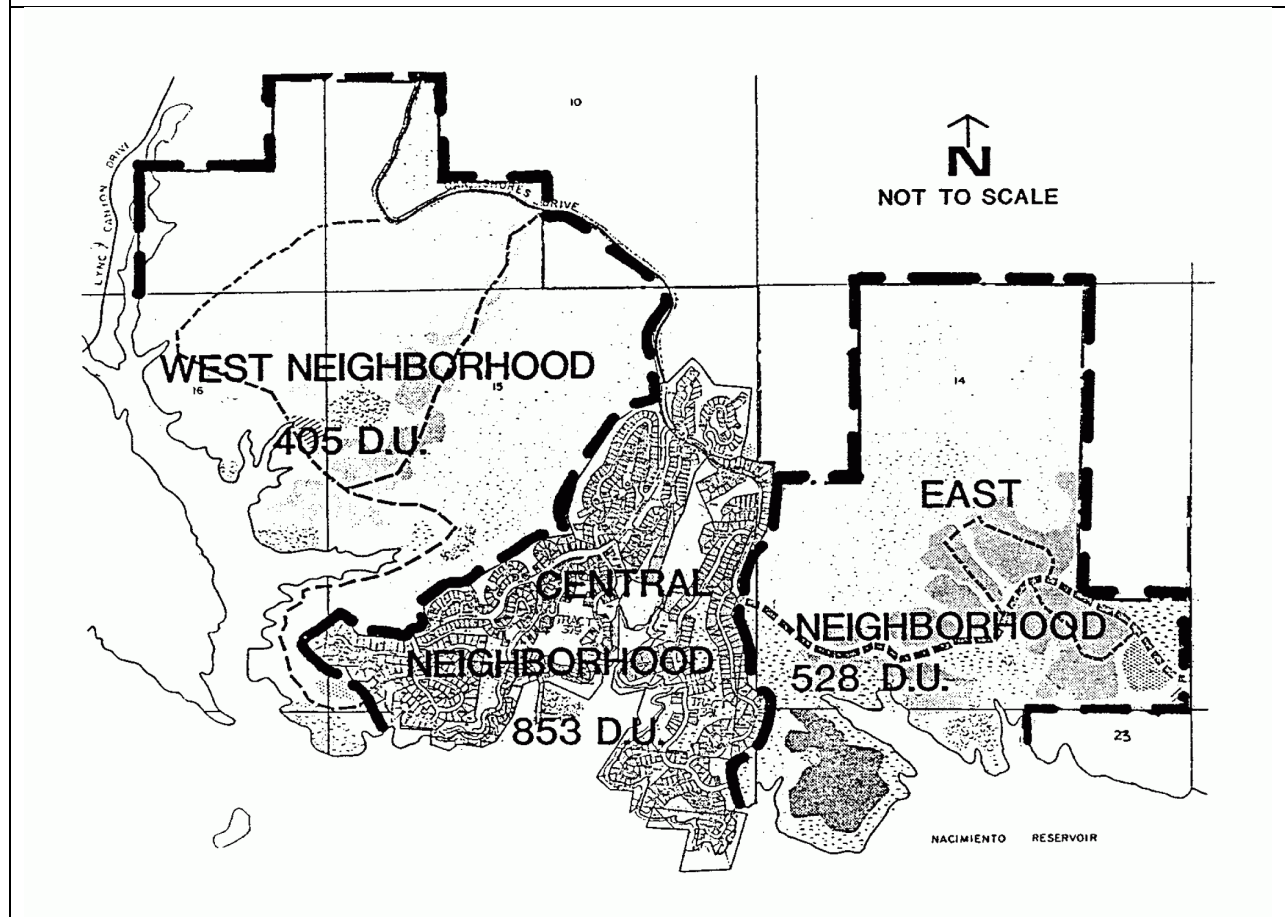
22.104.040 – Oak Shores Village Standards

The following standards apply within the Oak Shores village reserve line, to the land use categories and specific areas listed, in addition to the standards of Section 22.94.070.

- A. Communitywide standards.** The following standards apply within Oak Shores, in all land use categories, as applicable.

1. **Specific plan.** The Land Use Element, Nacimiento area plan, and this Chapter serve as the Specific Plan for the development of Oak Shores in compliance with Government Code Sections 66450 et seq. and 66474.5 et seq.
2. **Limitation on residential units.** The maximum allowable number of dwelling units within the Oak Shores village reserve line shall be 1,786, including RV sites and all tracts existing and recorded as of the effective date of the Land Use Element. See Figure 104-1 for the allocation of units. The number of allowed units is further allocated to individual properties by the adopted Oak Shores Phasing Plan.

Figure 104-1: Dwelling Unit Allocations for Oak Shores Neighborhoods



3. **Permit requirement - Previous approvals.** Any changes to previously approved Conditional Use Permits shall require Conditional Use Permit approval.
4. **Consistency with phasing plan.** Subdivision and land use permit applications for projects within the village area shall not be approved unless they are consistent with the Oak Shores Phasing Plan, as approved or amended in compliance with the Conditional Use Permit process (Section 22.62.060).

5. **Residential development prior to approval of phasing plan.** In land use categories allowing the construction of residences, no more than four residences shall be constructed on any building site prior to approval of the village phasing plan required by Subsection A.4 above, subject to Zoning Clearance.
6. **Circulation standards.** All streets shall be built to County standards and offered for dedication. Ownership and maintenance of collector streets shall remain the responsibility of area residents until the County accepts the offer of dedication and assumes maintenance responsibility. If local streets are to be potentially maintained, funding of maintenance shall be considered under a zone of benefit within the applicable governmental jurisdiction.
7. **Water resources.** Water for development shall be supplied through negotiated contracts with the San Luis Obispo County Flood Control and Water Conservation District for purchase of Lake Nacimiento water.
8. **Water consumption.** As each new phase of development is proposed the applications to be included in a tabulation of existing water use within the total project and an estimate of the amount of water needed to supply the proposed new development. This data shall be reviewed and approved by the County Public Works and Planning and Building Department's prior to approval of the development application.
9. **Water resource monitoring.** The applicant shall submit figures showing the total amount of water being used in the project to the County Public Works and Planning and Building Departments for evaluation as part of the annual review of the General Plan.
10. **Site development standards.** The following site design criteria apply to all development.
 - a. **Tree and vegetation removal.** Only trees and other vegetation that are located in proposed road rights-of-way, parking areas, and building sites may be removed. No other trees or vegetation shall be removed unless required by Section 4105 of the California Public Resources Code for fire protection, or the enhancement of the natural environment by means of pruning and thinning native vegetation. All free standing trees and the outline of all groves of trees and clumps of shrubs shall be clearly indicated on proposed Conditional Use Permits. Aerial photos may be used as the basis for defining these areas on plans.
 - b. **Landscape plans.** Landscape plans are required of all developments. Such plans and proposed plant species shall be reviewed for their enhancement of the area and their compatibility with the environment and native vegetation. Plant species shall also be reviewed for potential fire hazard. Plans for fences, walls, and other minor structures, including signs, indicating the location, area, height,

elevations, and material shall be submitted with the landscape plans for review and approval.

- c. **Architecture.** The architectural character of all structures shall be rustic western ranch styling reflecting a rustic or wood-like character. All styles will reflect a design appropriate to resort area living. A rustic western ranch theme is required of all public recreation and commercial uses.

11. **Architectural and design controls.** The following standards apply to all lots in the existing subdivisions, Tracts 378, 379, 380 and 381:

- a. Construction of any building or structure must be fully completed within 18 months once the foundation is erected. No residence shall be occupied until the exterior is completely enclosed. No structure, permanent or mobile, on a lot shall be lived in during construction of a residence without prior approval of the Tract Committee and the County.
- b. Only one residence of 800 square feet minimum shall be constructed on each residential lot. Any structure on posts must have a minimum of 60 percent solid area surface covered to grade. No fencing wall or hedging will exceed 7 feet in height, nor will any landscaping be placed to obstruct or diminish views. No white or shiny roofing materials will be used; fire resistant materials are encouraged.

[Amended 1982, Ord. 2112; 1983, Ord. 2133; 1985, Ord. 2226.]

B. Commercial Retail (CR) - Limitation on use. Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030 (Allowable Land Uses and Permit Requirements).

- 1. **West (tennis) neighborhood** - Convenience and liquor stores, gas stations, general retail, grocery stores, and personal services.
- 2. **East (equestrian) neighborhood** - Convenience and liquor stores, gas stations, and grocery stores.

C. Open Space (OS). The following standards apply within the OS land use category.

- 1. **Limitation on use.** Land uses within areas designated for open space shall be limited to riding and hiking trails, and utilities, in compliance with the land use permit requirements of Section 22.06.030.
- 2. **Open space administration.** All areas shown as open space within the village reserve line (excluding lands owned by the Bureau of Land Management, Monterey County

Flood Control and Water Conservation District, or other comparable agency) shall be retained as open space.

D. Public Facilities (PF) - Permit requirement. Minor Use Permit approval shall be required for all uses proposed on the area of Lot 3, Tract 1293 near Lakeview Drive within the PF land use category, unless Conditional Use Permit approval is otherwise required by this Title.

E. Recreation (REC). The following standards apply within the REC land use category.

1. **Limitation on use.** All allowable uses may be permitted in compliance with the land use permit requirements of Section 22.06.030 except for the following, which are not permitted in the areas noted:
 - a. **Equestrian center.** RV parks, airfields, vehicle storage and service stations.
 - b. **The marinas.** Off-road vehicle courses, hotels, motels and vehicle storage.
 - c. **Recreation centers and parks.** Convenience and liquor stores, general retail, grocery stores, personal services, off-road vehicle courses, hotels and motels, RV parks, or any transportation use.
 - d. **Campground and storage yard.** Allowable uses are limited to recreational vehicle campground; RV, boat and vehicle storage yard with accessory storage structures; caretaker residence; and fuel sales. Access to these uses shall be limited to the existing road. [Amended 1984, Ord. 2190.]
2. **Cal Shasta property (APN 80-062-04).** The development potential for this property shall be transferred into the residential clusters. The property shall then be retained in open space, with its preservation being guaranteed by agreement, easement, contract or other appropriate instrument. [Amended 1985, Ord. 2226.]
3. **Design, development and maintenance.** Recreational facilities shall reflect ranch-type design characteristics and be of a rustic, wood-like nature. Facilities shall be built by the developer and operated and maintained by the Oak Shores Homeowner's Association (or other comparable entity).

F. Residential Single-Family (RSF). The following standards apply within the RSF land use category.

1. **Limitation on use.** Land uses shall be limited to single-family dwellings, residential accessory uses, home occupations, and religious facilities, in compliance with the land use permit requirements of Section 22.06.030.
2. **Subdivision design.** The following standards apply to new subdivisions proposed in the east and west neighborhoods outside Tracts 378 through 381.]

- a. **Slope limitations.** Site new land divisions and development in areas with a slope of less than 30 percent, unless parcels having an average slope steeper than 30 percent would have unobtrusive visual impact as seen from public streets, the lake and surrounding development and minimal site disruption for access and impact on adjacent properties.
- b. **View orientation.** New residential lots shall be sited so primary views from the parcels are oriented to existing or proposed undeveloped areas (including Lake Nacimiento).
- c. **Street layout.** On slopes greater than 20 percent, street systems shall be designed to avoid multiple rows of streets tiered on the hillside.
- d. **Protection of native vegetation.** New parcels and development shall be sited where possible to avoid areas of dense brush and oak woodland vegetation, and locate building sites along ridges or hilltops where development would not be silhouetted against the sky, as seen from existing and proposed collector and arterial streets.
- e. **Fire hydrants.** Fire hydrants shall be provided by the developer at locations between development clusters as approved by the California Department of Forestry.
- f. **Open space areas.** Provide open space areas within and adjacent to subdivisions, with uses limited to hiking and riding trails, agricultural uses and facilities for drainage, access parking and utility purposes.
- g. **Setback requirements.** Maintain a setback of at least 100 feet from the right-of-way of Oak Shores Drive, from the northerly village reserve line to where the road enters the existing central neighborhood.
- h. **Access corridors.** New subdivisions shall provide access corridors to open space areas through or at the edge of clustered lots. Improved trail systems shall also be provided to and through open space areas that provide visual amenities and link residential and public areas. Maintenance shall be the responsibility of the Owners' Association.
- i. **Design review.** On lots where a proposed structure may be visible uphill from other structures or from the lakefront, the tract architectural review committee shall review the proposed building to ensure that building design and landscape buffering adequately screen and minimize its appearance as seen from below.

[Amended 1985, Ord. 2226; 1986, Ord. 2289.]

3. **Density.** Residential development shall not exceed a net density of six units per acre.
4. **Development standards - Specific tracts.** The following standards apply only to Tracts 378, 379, 380 and 381.

- a. All residences shall have a minimum floor area of 800 square feet of enclosed living area, excluding sun porches, patios, garages or carports. Yard setbacks shall be as prescribed on the recorded subdivision maps.
- b. The siting and construction of proposed building foundations shall be reviewed and approved by the Building Official on the following lots:

Tract 378

Lots 14, 15, 18-22, 26, 28, 29, 40, 41-45, 61-63, 66-70, 76, 126-128.

Tract 379

Lots 1-3, 5, 6, 11-16, 34, 35, 38-40, 70-77, 97-105, 111-116, 123, 124, 130, 133-164, 172, 175-181, 183-185, 187-210.

Tract 380

Lots 1-10, 12-37, 49, 51, 60, 63, 64, 71-79, 89, 90, 94, 95, 108-119, 129-113, 137, 138, 141-143, 169-172, 175-179, 181-184, 186-192, 195, 200-206.

Tract 381

Lots 1, 2, 11, 12, 20-31, 33, 37-47, 51-60, 63, 64, 72, 76-89, 91-110, 112, 113, 121, 126-136, 152-166, 170-176, 178-187, 190, 192-210, 225, 227-232, 244, 252-261, 267-287, 291-294.

5. **Building Permits - Tracts 378, 379, 380 and 381.** No grading or Building Permit shall be issued until the applicant has filed with the Department certification that the Tract Committee for the Oak Shores Subdivision as it then exists and functions, has:

- a. Reviewed pertinent plans and specifications and any applicable Zoning Clearance, Minor Use Permit or Conditional Use Permit; and
- b. Approved or disapproved such plans and specifications.

If the Tract Committee has disapproved the plans and specifications, the certification shall set forth the reasons for disapproval. The Review Authority shall review the reasons for disapproval of the plans and specifications by the committee. The Review Authority is not bound by any decision of the committee, and may grant permits and approvals under these provisions.

6. **Road impact mitigation payment.** Prior to the issuance of Building Permits for lots in Tracts 1291, 1293 and 1294, the remaining 1/3 payment for G-14 road impact mitigation shall be paid to the County Public Works Department.
7. **Site Plan requirement.** No grading or construction permit shall be issued for building sites on Lot 2 of Tract 1293 until the following conditions are met.
 - a. For the eastern-most building site, a Minor Use Permit shall be required for the primary residence and any accessory structures. The Minor Use Permit shall propose locating the residence and any accessory structures such that oak tree removal and visual impacts from the development are minimized. A secondary dwelling constructed concurrently with, or after, construction of the primary dwelling and meeting the standards set forth in Section 22.30.470 is not subject to the Minor Use Permit requirement.
 - b. For the western-most building site, a report by a registered Engineering Geologist and a Registered Professional Engineer with expertise in soils engineering shall be reviewed and approved by the Public Works Department, certifying that the site is, or can be made to be geologically stable

[Amended 1987, Ord. 2331; 1989, Ord. 2411; 2006, Ord 3097]

22.104.050 – Pozo Village Standards

The following standards apply within the Pozo village reserve line, in the land use categories or specific areas listed.

- A. **Historic (H) combining designation - Pozo Saloon.** Conditional Use Permit approval is required for all uses. Any new or expanded use or structure shall be designed and constructed to enhance the historic character and setting of the Pozo Saloon, as determined by the Commission and documented in the findings for Conditional Use Permit approval.
- B. **Commercial Retail (CR).** The following standards apply within the CR land use category.
 1. **Limitation on use.** Land uses shall be limited to bars and night clubs, convenience and liquor stores, single-family dwellings, gas stations, general retail, grocery stores, and restaurants, in compliance with the land use permit requirements of Subsection B.2.
 2. **Permit requirement.** Conditional Use Permit approval is required for development, or expansion of existing uses.
 3. **Architectural style.** Proposed commercial uses shall be of an architectural character compatible with the pioneer style of the Pozo Saloon. Any new or expanded use or structure shall be designed and constructed to enhance the historical character and

setting of the Pozo Saloon as determined by the Commission and documented in the findings for Conditional Use Permit approval.

- C. Residential Suburban (RS) - Limitation on use.** Land uses within the RS land use category shall be limited to single-family dwellings, and religious facilities, in compliance with the land use permit requirements of Section 22.06.030.

22.104.060 – San Miguel Community Standards

The following standards apply within the San Miguel Urban Reserve Line, in the land use categories or specific areas listed, in addition to the standards of Section 22.94.080.

- A. Communitywide.** The following standards apply to all land use categories inside the San Miguel Urban Reserve Line lying west of the Salinas River. This standard does not apply to the San Lawrence Terrace neighborhood nor to other areas of the community located east of the Salinas River.
1. **Compliance with the San Miguel Design Plan.** All proposed development shall be in conformity with the San Miguel Design Plan, and any amendments thereto, in addition to any applicable planning area standards. The San Miguel Design Plan was duly approved by the Board of Supervisors in Resolution 2003-113 and is on file in the Office of the Clerk of the Board of Supervisors and which is hereby incorporated by reference herein as through set forth in full. In the event of any conflict between the provisions of this Title and the Design Plan, the Design Plan shall prevail. Any deviation of existing or proposed development from the provisions of the Design Plan is to occur only after appropriate amendment of the Design Plan.
 2. **Cultural Resources.** A Phase One Cultural Resources Report shall be submitted upon application for a grading, construction, or land use permit unless waived by the Director.
 3. **Environmental Site Assessment.** Upon application for a grading, construction, or land use permit within 135 feet of the railroad, the applicant shall submit a Phase II Environmental Site Assessment and soil test results. If applicable, a risk assessment shall be prepared and procedures established to address the identification, excavation, handling, and disposal of hazardous substances. The applicant shall ensure that any identified environmental site conditions that may represent a risk to public health and safety shall be remediated in accordance with federal, state, and local environmental laws and regulations.
 4. **Railroad Barrier.**
 - a. Development on lots abutting railroad property in San Miguel shall provide a barrier along the common property line to reduce the potential for trespassing

on railroad property. The barrier may be in the form of a solid masonry wall or metal fence or a building located with zero setback from the property line.

The barrier must:

- be vandal-resistant;
- allow for the passage of the San Joaquin kit fox from one side to the other;
- be designed to discourage climbing over the top;
- not incorporate barbed wire, razor wire or any other component that could injure someone attempting to climb over it, except that the barrier may incorporate landscape elements such as thorny vines that would act as a deterrent to climbing;
- be maintained by the property owner in a physically sound and visually attractive condition.

- b. A standard barrier design shall be approved by the Director of Planning And Building with input from the San Miguel Advisory Committee, railroad, county Public Works Department and the county Environmental Division prior to construction of any barrier fencing abutting the railroad right of way. Once approved, all railroad safety barriers in San Miguel shall conform to this design.

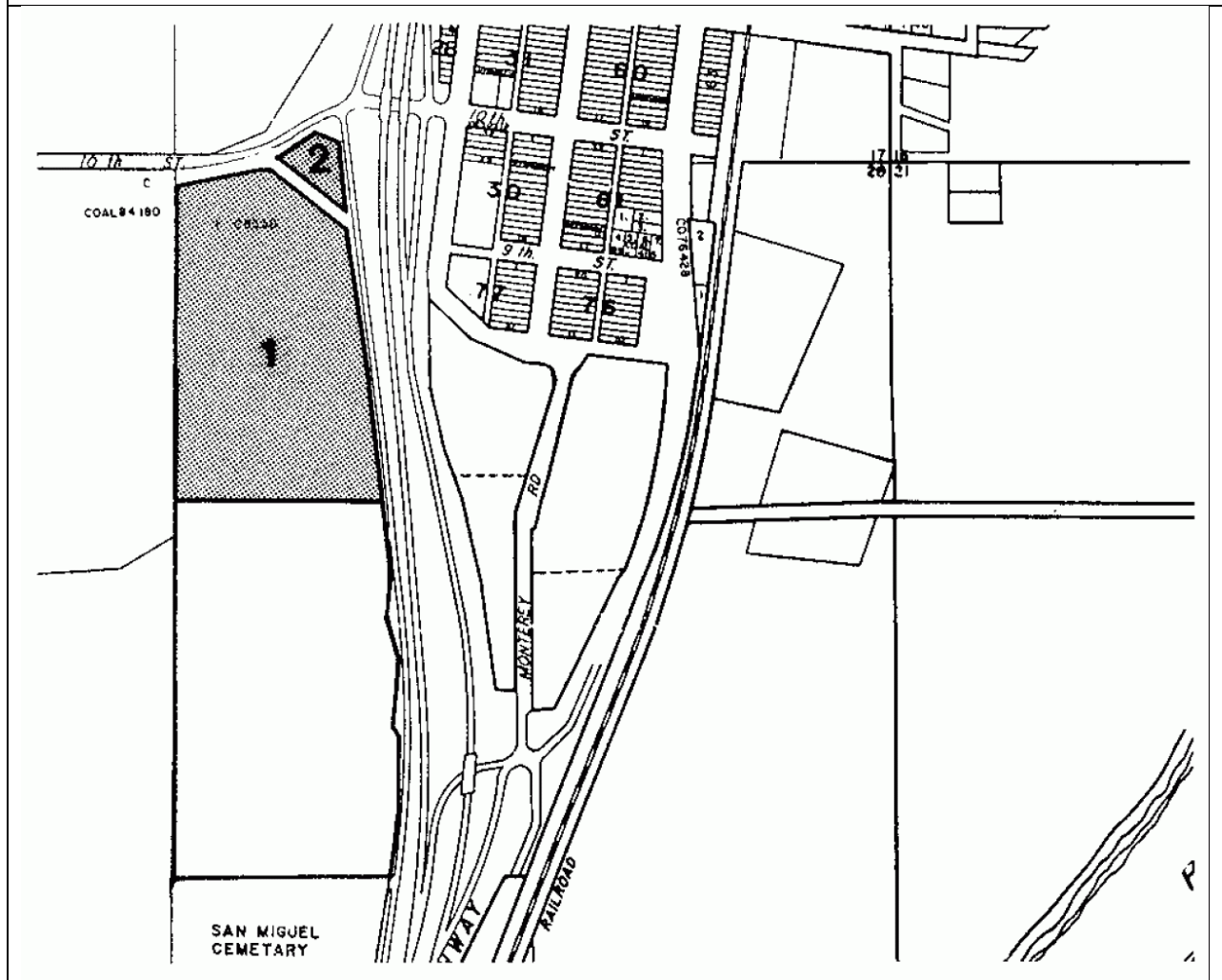
5. **Fencing.** In all land use categories, a fence shall be located on the common property line of any parcel that abuts the railroad property. The structure and design of the required fencing shall comply with standards approved by the Department of Planning and Building with the concurrence of the Union Pacific Railroad and California Public Utilities Commission. Fencing shall be constructed with 8-inch by 12-inch openings near the ground every 100 yards to accommodate San Joaquin kit fox migration.
6. **Noise Study.** Upon application for a grading, construction, or land use permit for a noise sensitive land use within the Commercial Retail, Commercial Service, Office/Professional, and Residential Multi-family land use categories within areas exposed to outdoor noise levels exceeding 60 decibels (as delineated by the County Noise Element), a Noise Analysis Study shall be submitted. Noise sensitive land uses include residential uses (except temporary dwellings and accessory structures), public assembly and entertainment facilities, bed and breakfast facilities, hotels and motels, schools, outdoor sports and recreation facilities, and offices. The Noise Analysis Study shall identify existing and future noise levels, potential noise exposure, and recommendations for noise attenuation in compliance with the County Noise Element.
7. **Noise Barriers.** To assure a consistently high-quality appearance within the central business district, safety and noise barriers between 10th Street and 15th Street shall be of a common design.

8. **Noise Setback.** New residential development and associated outdoor use areas (excluding non-habitable structures) shall be prohibited within 113 feet of the railroad or other distance that complies with the requirements of the County Noise Element.

B. Commercial Retail (CR). The following standards apply within the Commercial Retail land use category.

1. **Tree planting.** Plant trees along streets and pedestrian lanes when new commercial buildings are constructed, or for any use requiring a Minor Use Permit or Conditional Use Permit.
2. **Waiver of parking requirements.** Existing and proposed uses in existing commercial buildings on the west side of Mission Street, between 11th and 16th Streets, are exempt from the off-street parking requirements of Chapter 22.18 (Parking and Loading Standards). This waiver does not apply to the construction of new buildings.
3. **10th Street West of Highway 101.** The following standards apply to land on the west side of Highway 101 and the south side of 10th Street, as shown in Figure 104-2.

Figure 104-2: CR - 10th Street West of Highway 101 - San Miguel



a. **Location and Limitation on use.** Land uses shall be limited to:

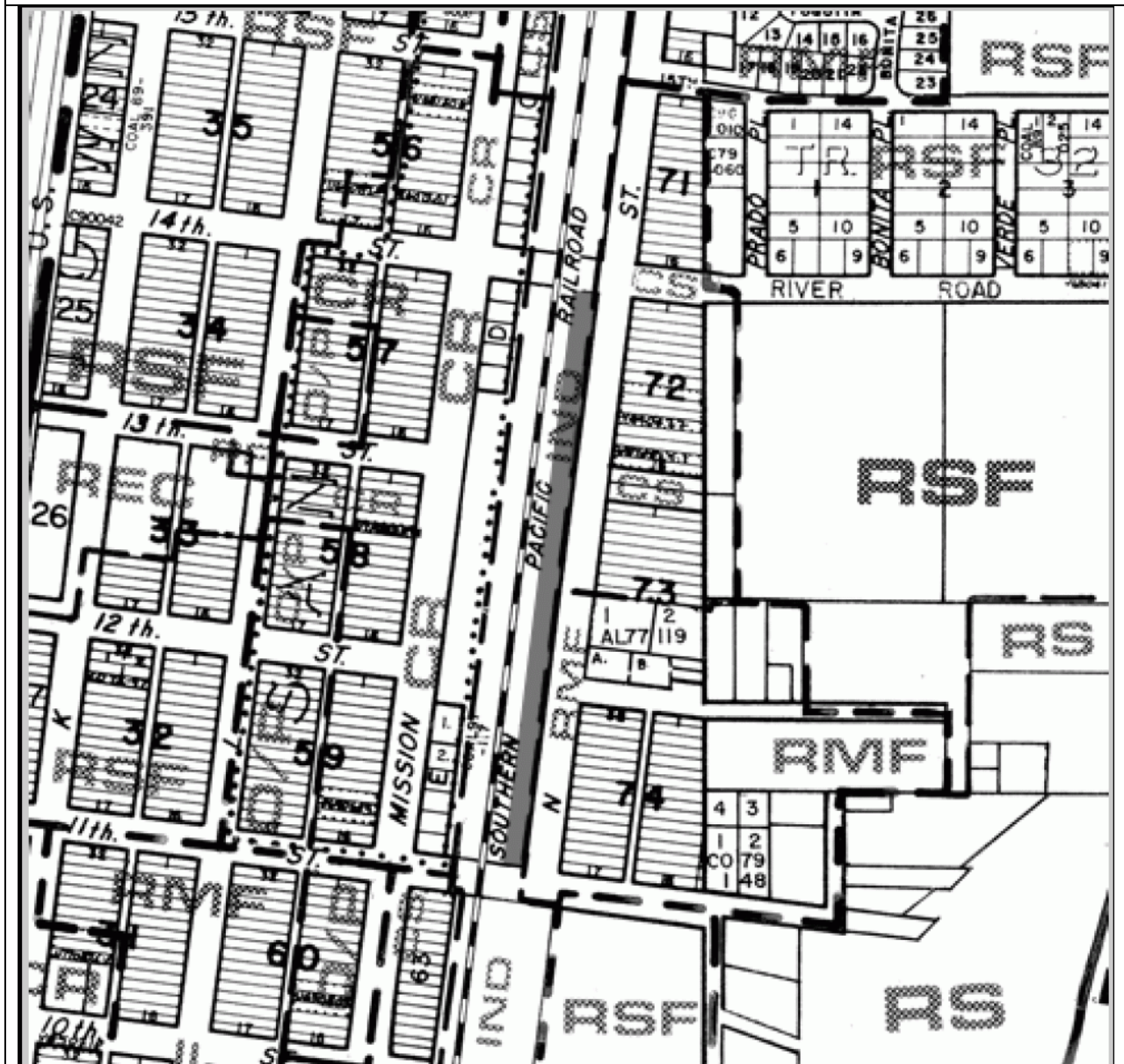
- Accessory storage
- Bars and night clubs
- Convenience and liquor stores
- Gas stations
- Grocery stores, and general retail (tourist oriented, limited to 2,000 square feet each, to total no more than 30,000 square feet in areas 1 and 2)
- Hotels and motels
- Outdoor retail sales (plaza festivals and art shows)
- Personal services
- Recreational vehicle park (on the southerly half of the site)
- Restaurants
- Small scale manufacturing (artisan and craftsman uses)

- b. **Permit requirement.** Submit a single Conditional Use Permit application for review and approval prior to development of any uses on the site. The Conditional Use Permit shall focus on the following factors:
 - (1) Buffering of uses from Highway 101 to reduce the visual impacts on the highway corridor and noise impacts to those uses.
 - (2) Buffering of commercial uses from adjacent residential and agricultural uses and areas.
 - (3) On-site traffic circulation that minimizes, and where practical, separates truck and recreational vehicle traffic from traffic going to and from the visitor-serving commercial uses.
- c. **Highway 101 interchange capacity.** The capacity for peak-hour vehicle trips at the existing Highway 101/10th Street interchange shall be retained for the build-out of the Central Business District, the Commercial Service and Industrial categories prior to determining the size of the proposed project.
- 4. **Mixed Use Development.** Residential quarters and the following commercial uses shall not be established within the same building: nail salons, dry-cleaners, coffee roasters, gasoline stations, furniture refurbishing/refinishing, and any type of spray paint operation.

[Amended 2006, Ord. 3105]

- C. **Commercial Service (CS)** -The following standards apply within the Commercial Service land use category.

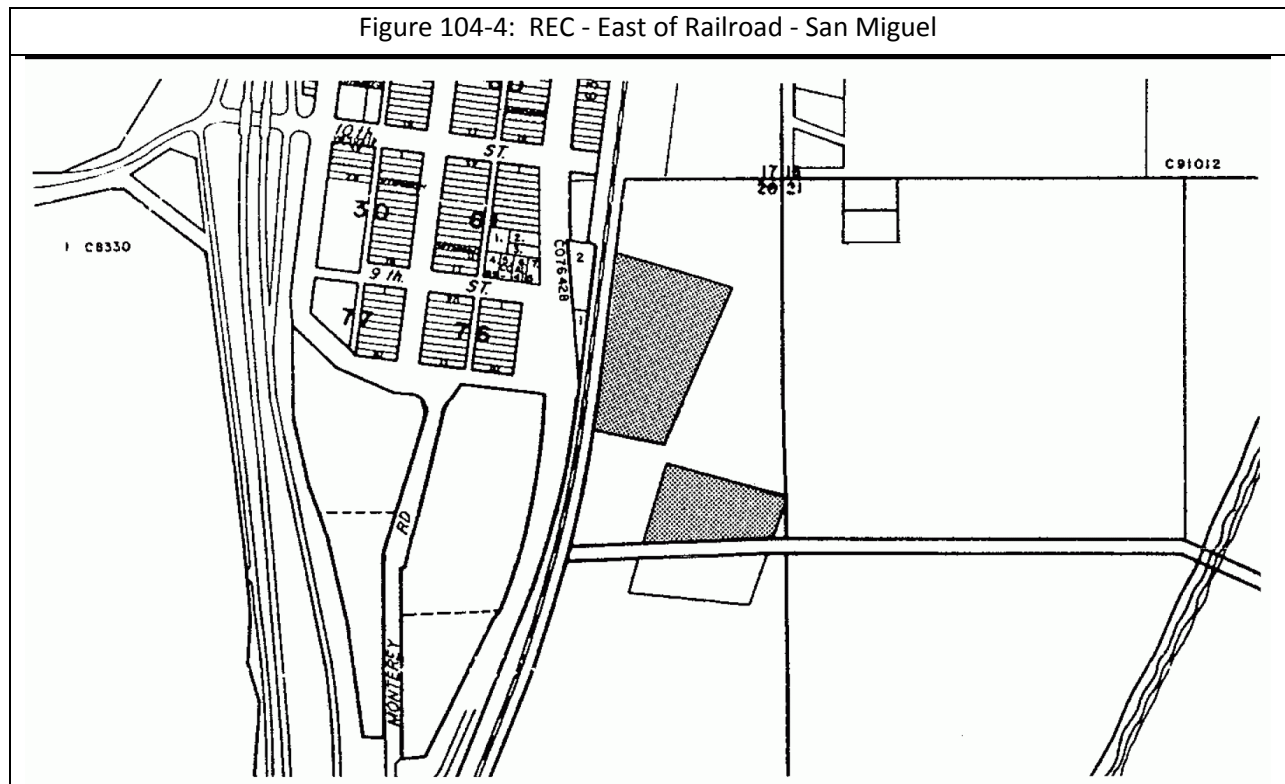
Figure 104-3: CS - N Street - Adjacent to RMF - San Miguel



1. **Limitation on use.** All land uses identified by Section 22.060.030 as allowable, permitted, or conditional uses in within the CS land use category may be authorized in compliance with the land use permit requirements of that section, except concrete, gypsum and plaster products.
2. **Limitation on use - N Street - Adjacent to RMF.** In the area shown in Figure 104-3, all land uses identified by Section 22.060.030 as allowable, permitted, or conditional uses in within the CS land use category may be authorized in compliance with the land use permit requirements of that section except ag processing, horse ranches, furniture and

fixture products, cabinet shops, small scale manufacturing, stone and cut stone products. All development shall be residential in appearance when viewed from N street and shall have minimal employee and truck traffic. Outdoor storage is limited to the rear of the site.

- D. **Industrial (IND) - Limitation on use.** Land uses within the Industrial land use category shall be limited to: offices; accessory storage; storage yards; vehicle and freight terminals; and warehousing.
- E. **Recreation (REC) - East of Mission Street - Limitation on use.** Land uses in the area within the Recreation land use category located east of Mission Street as shown in Figure 104-4 shall be limited to religious facilities, libraries and museums, outdoor sports and recreation, temporary events, or other similar uses that can be found compatible and consistent with the existing cultural resources, in compliance with the land use permit requirements of Section 22.06.030.



- F. **Residential Single-Family (RSF).** The following standards apply within the Residential Single-Family land use category.
1. **Development Density - south and west of 16th and Mission Streets.** A second dwelling unit may be allowed for each 7,500 square feet of lot area; and an additional dwelling unit may be allowed for every additional 3,750 square feet in excess of 7,500 square

2. **South of 11th Street.** The following standards apply only to the property shown in Figure 104-5.

Figure 104-5: RSF - South of 11th Street - San Miguel

- a. **Density limitation.** The maximum number of residential parcels is limited to 60.
 - b. **Cluster requirement.** Any land division shall be clustered west of the Flood Hazard (FH) combining designation, in compliance with the cluster division criteria in Section 22.22.140, or utilize other techniques that achieve the same result as clustering. Open space areas should be considered for the FH area (no residential building site is allowable in the FH area), as well as for noise, visual and cultural resource protection.
3. **Portions of APNs 021-051-004 and 014 and APN 021-151-044.** The following standards apply to the site as shown in Figure 104-6.
- a. **Environmental mitigation measures.**

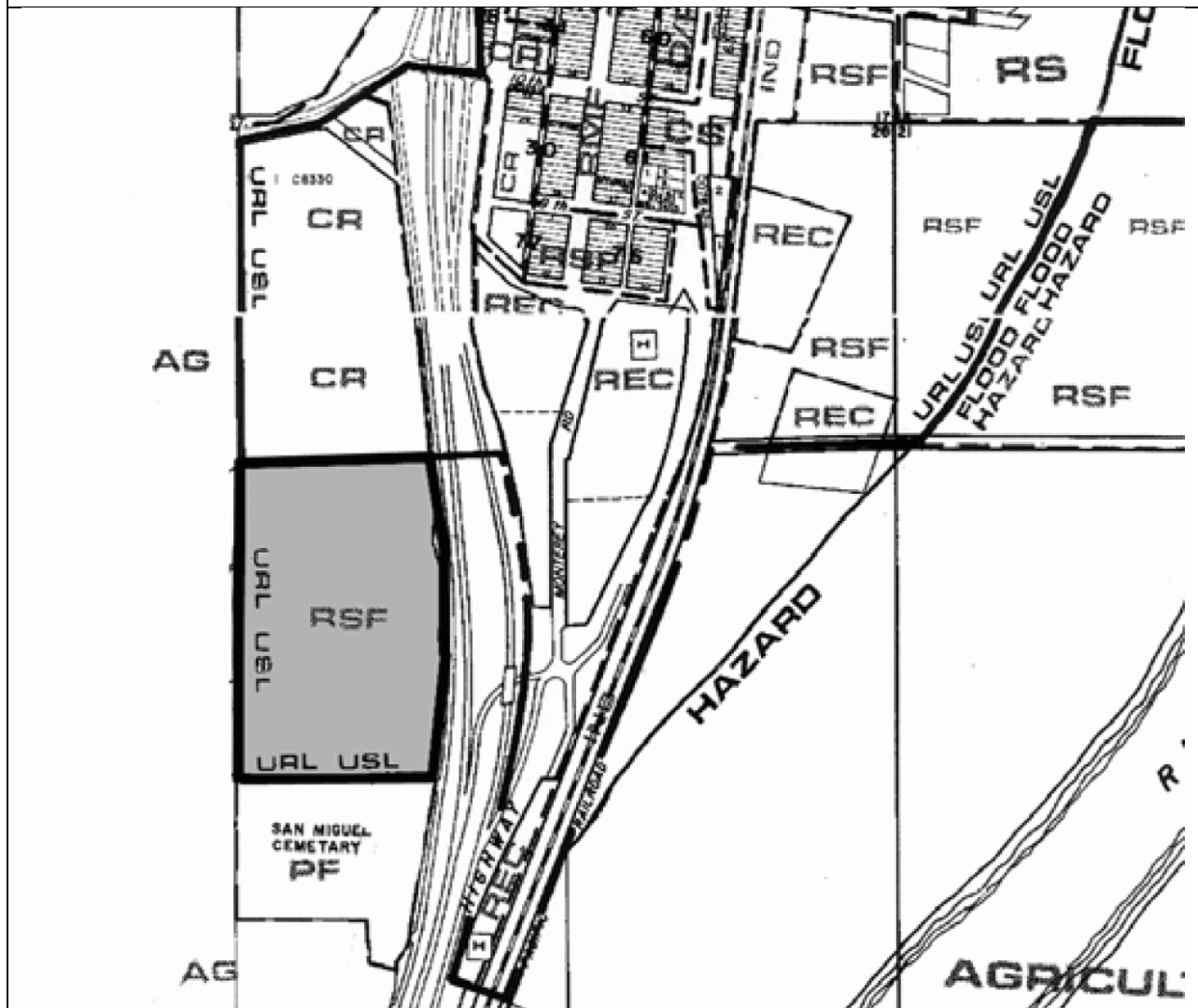
- (1) At the time of application for land division or development, the applicant shall submit a San Joaquin Kit Fox Evaluation Form to determine specific measures to mitigate for the loss of habitat.
- (2) At the time of application for land division or development, the applicant shall retain a county-approved botanist to conduct a comprehensive botanical survey of the portion of the project site proposed for residential development and related site improvements. The survey shall include measures to avoid or minimize impacts to special-status plant species.
- (3) At the time of application for land division or development, the applicant shall retain a county-approved archaeologist to prepare a sub-surface testing plan. The archaeologist shall prepare a Phase II Sub-surface Survey Report documenting findings and delineating the actual boundaries of the identified archaeological site. If the sub-surface survey finds significant cultural resources, mitigation measures, including site design modifications, shall be incorporated into the proposed project to avoid impacts to these resources.
- (4) At the time of application for land division or development, the applicant shall submit a Noise Study prepared by a county-approved noise specialist. The study shall include recommended measures to mitigate noise exposure to acceptable levels. Measures may include site design modifications or noise attenuation structures.
- (5) At the time of application for land division or development, the applicant shall submit a proposed method of notification of future property owners of the proximity of the sewage treatment plant.

Figure 104-6: RSF - Ptns of APNs 021-051-004 & 014 & APN 021-151-044



4. **Cemetery Road south of 10th Street.** The following standards apply to the property as shown in Figure 104-7.

Figure 104-7: RSF - South of 10th Street



- a. **Subdivision design and density limitations.** New land divisions shall be clustered to comply with the Highway Corridor Design Standards, to provide open space above the 687-foot elevation contour, along the drainage swale, and as provided below. The minimum parcel size shall be a minimum 10,000 square feet, with residential density limited to one unit per parcel.
- b. **Setbacks.** Proposed subdivision plans shall incorporate landscape buffers as follows:
 - (1) 15 feet along the southern property boundary;
 - (2) 100 feet along the eastern property boundary, and;
 - (3) 40 feet along the northern property boundary.

- c. **Location limitation.** Ridge top development shall be avoided, and future development shall not be constructed above the natural 687-foot elevation contour.
- d. **Development and height limitations.** All development shall visually blend with the existing topography, and all cut and fill slopes shall be rounded to reduce the transition between slope angles. The finished building pad for each proposed residential structure should be constructed at or lower than an elevation calculated to be the average of the highest natural elevation and the lowest natural elevation on that lot. The maximum height of each proposed residence shall not exceed 20 feet above the determined average natural grade for each proposed lot. The design of residences shall incorporate the use of hipped-roof design, and exterior colors shall be muted, earthtone shades and shall not have a Munsell chroma or value greater than six.
- e. **Landscaping plan required.** A landscape plan shall be submitted at the time of application and shall provide 50 percent screening of structures within five years of initial planting, 80 percent screening of structures within 10 years of planting, and shall utilize native, drought-tolerant vegetation. No irrigated turf or ornamental ground covers shall be used within landscape buffer areas.
- f. **Exterior lighting plan required.** An exterior lighting plan shall be submitted at time of application, and shall meet the following standards:
 - (1) The maximum height of street light standards shall not exceed twelve feet;
 - (2) Direct views of exterior lighting sources shall be shielded from view from public roads;
 - (3) Lights shall be designed and constructed to reduce illumination of the hillside to the west, and;
 - (4) Illumination levels of streetlights shall be the minimum required by public safety policy and ordinances.

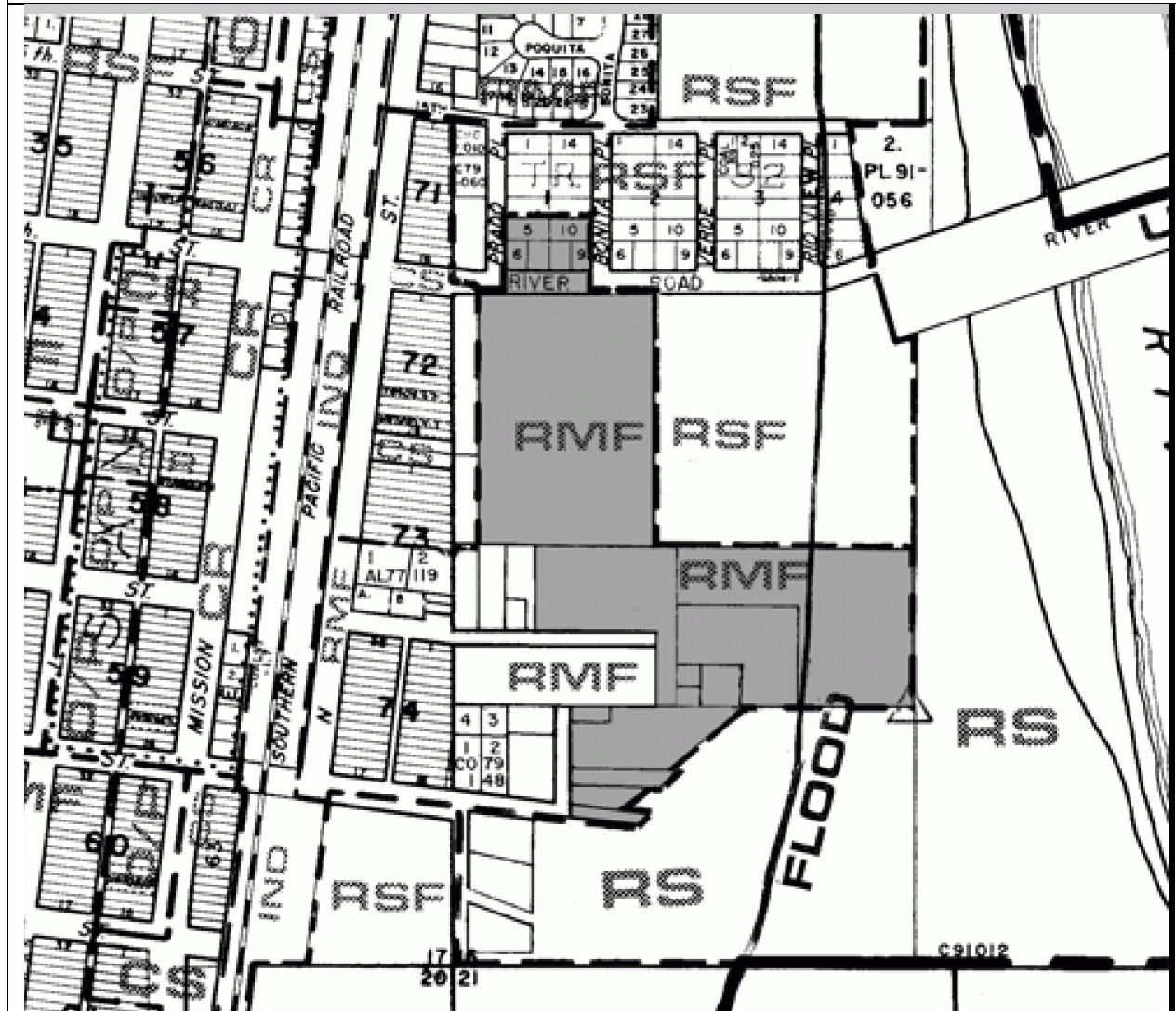
[Amended 2005, Ord. 3073]

G. Residential Multi-Family (RMF). The following standard applies within the Residential Multi Family land use category areas as shown on Figure 104-8:

- 1. Upon application for a grading, construction, or land use permit east of the Union Pacific Railroad, the applicant shall submit the following biological reports:
 - a. Vernal Pool Habitat Evaluation

- b. In-season Floristic Botanical Survey
2. Any land division shall be clustered west of the Flood Hazard (FH) combining designation, in compliance with the cluster division criteria in Section 22.22.140, or use other techniques that achieve the same result as clustering. Open space areas should be considered for the FH area (no residential site is allowable in the FH area), as well as for noise, visual, and cultural resource protection.
3. Residential development shall include the following design elements:
- a. Link cul-de-sacs and dead-end streets to encourage pedestrian and bicycle travel.
 - b. Install traffic calming modifications to roads, such as narrower streets, speed platforms, bulb-outs, and intersection modifications designed to reduce vehicle speeds.
 - c. Include easements or land dedications for bikeways and pedestrian walkways.
 - d. Provide continuous sidewalks separated from the roadway by landscaping and on-street parking.
 - e. Include adequate lighting for sidewalks and crosswalks at intersections.
 - f. Increase building energy efficiency rating by 10 percent above what is required by Title 24 requirements.
 - g. Provide street trees.
 - h. Include outdoor electrical outlets.
 - i. Provide secure on-site bicycle parking.
 - j. Where portions of the Salinas River are located on a site, easements or land dedications for trails consistent with the Parks and recreation Element or other adopted Trails Plan, shall be included in any proposed land division or land use permit.

Figure 104-8: RMF - East side of Hwy 101 - San Miguel



22.104.070 – Santa Margarita Community Standards

The following standards apply within the Santa Margarita Urban Reserve Line, in the land use categories or specific areas listed, in addition to the standards of Section 22.94.080.

- A. **Communitywide.** The following standards apply to all land use categories inside the Santa Margarita Urban Reserve Line.
 - 1. **Compliance with the Santa Margarita Community Design Plan.** All Minor Use Permit and Conditional Use Permit applications shall be in conformity with the Santa Margarita Design Plan, and any amendments thereto. The Santa Margarita Design Plan was duly

approved by the Board of Supervisors in Resolution 01-413 and is on file in the Office of the Clerk of the Board of Supervisors and which is hereby incorporated by reference herein as though set forth in full. In the event of any conflict between the provisions of the Salinas River Area Plan and the design plan, the design plan shall prevail.

Applicants and the general public are encouraged to read the Santa Margarita Design Plan. The standards are requirements that supersede and replace any conflicting standards in Articles 1 through 8 of this Title. The guidelines are flexible standards for discretionary land use permits that are intended to provide for interpretation and flexibility in designing a project, such that “equal or better” design features may be approved.

2. Permit requirements.

- a. Minor Use Permit approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - (1) Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - (2) Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as “minor” Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Santa Margarita Design Plan.
 - (3) New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
 - (4) Single-family and multi-family residences and residential accessory structures, secondary dwellings, and agricultural accessory structures.
 - (5) Where Conditional Use Permit approval is otherwise required by this Title.

- 3. **Street tree requirement.** Before final building inspection, plant deciduous shade trees with low water-using irrigation along streets and pedestrian lanes when new residential tracts are developed, when multi-family residences, commercial or other non-residential buildings are constructed, or for any new or expanded use requiring a Minor Use Permit or Conditional Use Permit. Trees shall be selected and located to have a continuous row of shade canopy along the street right-of-way within 10 years after planting.

[Added 2001, Ord. 2947; Amended 2006, Ord 3097]

B. Commercial Service (CS). The following standards apply within the Commercial Service land use category.

1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the CS land use category may be authorized in compliance with the land use permit requirements of that Section, except: concrete, gypsum and plaster products, and electric generating plants.
2. **Permit requirement.** Minor Use Permit approval is required where Site Plan Review would otherwise be required by this Title, for all initial construction or exterior alteration to existing buildings

New uses that are proposed to occupy existing development are not subject to the above requirement but are subject to land use permit approvals as required by this Title, with the exception that the following uses are required to have Minor Use Permit approval, to review potential water, wastewater, hazardous material, odor, noise, traffic, solid waste and potential impacts that may apply: ag processing; drive-in theater; sports assembly; apparel products; electrical equipment, electronic and scientific instruments; furniture and fixture products; metal industries, fabricated; small scale manufacturing; recycling and scrap; stone and cut stone products; laundries and dry cleaning plants.

C. Industrial (IND). The following standards apply within the Industrial land use category.

1. **Limitation on Use - Railroad property.** Allowable land uses are limited on lands in Southern Pacific Railroad ownership to offices, accessory storage, storage yards, vehicle and freight terminals, pipelines and transmission, public utility facilities and warehousing

D. Recreation (REC). The following standards apply within the Recreation land use category.

1. **Limitation on use.** Land uses shall be limited to libraries and museums, membership organization facilities, outdoor sports and recreation, public assembly and entertainment, sports assembly, temporary events, government offices and caretaker residences.
2. **Permit requirement.** Minor Use Permit approval is required for any construction of new buildings, unless a Conditional Use Permit is otherwise required by this Title.
3. **Setback requirement.** A 20-foot front setback is required, within which a landscaped parkway between the curb and sidewalk shall be provided.

E. Residential Single-Family (RSF). The following standards apply within the Residential Single-Family land use category.

1. **Building height.** For properties with less than 75 feet of frontage, the maximum height for a new residence or addition to an existing residence is 18 feet, or one story, whichever is less, unless a greater height is authorized by Minor Use Permit approval to consider privacy and neighborhood character.
2. **Minimum building site.** The minimum building site for existing adjoining lots under single ownership shall be 6,000 square feet with 50 feet of frontage.
3. **Design Standards - New subdivisions and Zoning Clearances for single-family residences.** The following standards apply to proposed subdivisions and new single-family residential development unless modified by a Minor Use Permit or Conditional Use Permit on individual lots:
 - a. **Varied front yard setbacks.** The required 25-foot front yard setback shall be adjusted at least five feet in either direction if a building site is between or adjacent to two residences that are located at the required front setback. Existing front building setbacks shall be shown on application submittals.
 - b. **Driveway frontage and garage location.** No more than 25 percent of a lot's frontage shall be utilized for a driveway opening, unless it is necessary to allow a 16-foot width for a two-way drive, except for flag lots, cul-de-sac lots and lots with less than 40 feet frontage.

Garages and carports shall be located five feet further back from the street than the front of residences, except where limited site area, width and/or access make the required setback infeasible, an adjustment may be approved in compliance with Section 22.70.030.
 - c. **Fence and wall requirement.** Fences and walls that are proposed at or within the front setback or visible from public streets, shall be constructed of stuccoed masonry, river cobblestone or wood, and shall be designed, painted or stained similar to the building architecture and colors. Fences or walls constructed of other materials or finishing shall be set back at least 10 additional feet and continuously screened by landscaping from the street right-of-way.

F. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family land use category.

1. **Minimum site frontage.** New multi-family development shall have a minimum 75-foot street frontage.
2. **Height limit.** Building height shall be no more than 28 feet.

3. **Design standards - All land use permits.** Multi-family residential structures and accessory buildings shall comply with the following design standards, or their intent if a discretionary permit is applicable, in addition to the Residential Single-Family category standards in Subsections E.3.a through E.3.c, unless modified by a Minor Use Permit.
 - a. **Parking location.** Parking spaces shall not be located between the front property line and buildings.
 - b. **Wall, roof and balcony articulation.** Building walls and balconies shall be inset or notched at least once for every 30 linear feet. Insets shall be at least one foot and shall be extended to the roof cornice or penetrate the roof plane. Roofs shall not be mansard style. Exterior stairs, balconies and porches shall be covered by the roof plane and form part of the building articulation.
 - c. **Private Patios and balconies.** Residential private outdoor use areas shall be provided for individual units. Private balconies shall be provided, with a depth of at least 6 feet and width of 10 feet. Private ground-level patios shall be provided with an area of at least 150 square feet.
 - d. **Building materials.** Wall surface materials shall be wood or wood-appearing materials, stucco, brick, or rock. Prohibited wall materials include metal siding, unfinished or painted concrete block, metal window awnings, and reflective glass.
 - e. **Building trim.** Cornices and moldings shall be provided at building corners, eaves, baseboard lines, and window borders except where windows are not flush with a wall surface.

22.104.080 – Shandon Community Standards

The following standards apply within the Shandon urban reserve line to the land use categories or specific areas listed.

- A. **Community-wide standards.** The following standards apply to all land use categories within the Shandon urban reserve line.
 1. **Environmental mitigation.** New development shall comply with the applicable mitigation measures in the Shandon Community Plan Update and San Juan Village (Fallingstar Phase I) Project Final Environmental Impact Report. Table 9.1 in the Shandon Community Plan identifies the type of development for which the mitigation measures in the Final Environmental Impact Report are required.

2. **Building height.** The maximum building height in the Residential and Commercial land use categories shall be 28 feet. Exceptions may be granted pursuant to Subsections 22.10.090.C.2a or c.
3. **Urban edge.** To avoid creating a sharp urban edge, development adjacent to the Urban Reserve Line shall include a landscaped area that breaks-up the view of building facades, fences and walls from public roads and nearby rural areas. The landscaped area shall include trees selected from the Shandon Community Plan Master Tree List and be consistent with the applicable mitigations for biological resources in Appendix D of the Shandon Community Plan. If adjacent to the Agriculture land use category or an agricultural use, an agricultural buffer shall be provided consistent with the Ag Buffer policy.
4. **Stream bank setbacks.** Buildings shall be set back a minimum of 100 feet from the top of the stream bank.
5. **Energy and water conservation.** New development shall implement the following water and energy-saving measures: Installation of low flow or dual flush toilets, low flow shower heads and water faucets and energy efficient appliances; drip irrigation or micro-sprayers on appropriate landscaped areas; Use of devices such as soil monitors and rain shutoff devices for all automatic irrigation systems; and use of mulch in non-turf areas, permeable hardscape to the extent feasible, soil amendments to increase soil moisture holding capacity of soil and native low water using landscaping.

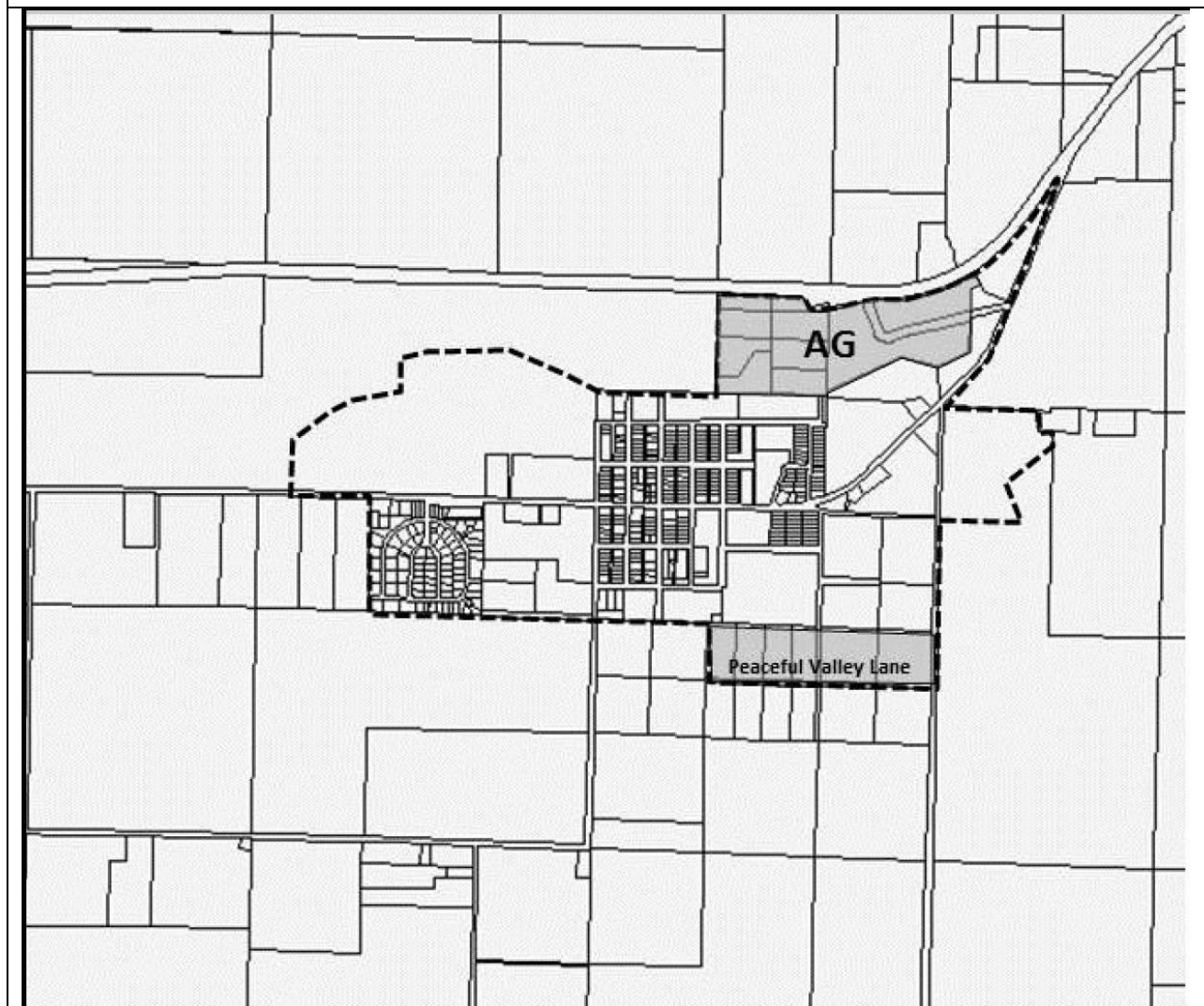
In addition, new development shall include at least four of the following conservation techniques:

- a. Install alternative energy equipment and devices such as solar thermal heating.
- b. Integrate, where feasible, alternative energy mechanical equipment and accessories within roofing materials and/or blend them with a structure's architectural form.
- c. Pre-wire commercial and residential development for rooftop photovoltaic (PV) panels or other advanced technology.
- d. Employ passive solar design and natural daylighting techniques in the design and construction of buildings.
- e. Provide surfaces and windows (with "low-e" glazing), on south-facing walls, that add significant thermal mass, with proper ventilation, to control and distribute energy throughout structures.
- f. Use deciduous shade trees on the south, east and west sides of buildings, and low shrubbery immediately south of buildings to maximize passive solar

performance; and use evergreen trees, where appropriate, to protect buildings from winter winds, provided the evergreen trees do conflict with the purpose of the deciduous trees.

- g. Use energy-saving landscaping around buildings and in parking lots to reduce solar gain in summer and allow solar gain in winter.
 - h. Use building materials, components, and systems found locally or regionally to reduce energy use, emissions and transportation costs.
 - i. Use non-toxic building products (e.g. formaldehyde-free insulation, low Volatile Organic Compounds [VOC] paints, etc.).
 - j. In new buildings, use the lowest water-using or waterless plumbing fixtures, implement water saving practices, and install greywater recycling systems.
6. **Domestic water supply.** Domestic (non-agricultural) water supply shall be provided by CSA-16 or successor water provider, except for the following:

Figure 104-9: Domestic Water Supply



- a. The land within the Agriculture land use category, as shown in Figure 104-9.
 - b. Parcels fronting on Peaceful Valley Lane, as shown in Figure 104-9, that are 2.5 acres or larger in size.
 - c. Development of an allowable residential use, pursuant to Table 2-2, except for mobile home parks and multi-family dwellings, on a lot legally created prior to the adoption of the Shandon Community Plan that is within a Residential land use category and outside of the CSA-16 service area.
7. **Domestic water supply - requirement for new development.** The standards below apply to the following new development:

1) development resulting from new land divisions, 2) land use permits that result in greater than four (4) dwelling units, 3) development of more than 9,999 square feet of floor area for uses listed under the industry, manufacturing and processing land use group, 4) development of more than 2,499 square feet of floor area for uses listed under all other non-residential use groups. All criteria are cumulative for a single site.

- a. The domestic (non-agricultural) water supply for new development listed above shall not be from groundwater, except as provided in Subsection A.7.c.
- b. Prior to issuance of construction permits, the applicant for new development shall pay a "fair share" of the costs of the water project, pursuant to the Shandon Community Plan Natural Resources Implementation Program NRIP-4, that delivers State water to Shandon in excess of CSA-16's 2012 allocation of 100 acre-feet per year. The "fair share" is to be determined by CSA-16 or successor water provider based on the project's net new water demand. The project's contribution to recharge from the wastewater treatment facility shall be taken into account in determining net new water demand¹.
- c. In the event the Board of Supervisors determines, after completion of the necessary background studies, that the delivery of additional State water to Shandon is not adequate or viable for new development, and the Board of Supervisors has determined that the Paso Robles Groundwater Basin is no longer in Level of Severity III, the applicant shall participate in one or both of the following:
 - (1) A water conservation program approved by the Board of Supervisors that results in reducing groundwater pumping within the Paso Robles Groundwater Basin, or
 - (2) A fee program approved by the Board of Supervisors that results in reducing groundwater pumping within the Paso Robles Groundwater Basin.

Note: "Net new water demand" is the amount of non-agricultural water to be used by new development minus the volume of water returned to the groundwater basin through wastewater return flows. The calculation of net new water demand is the sole responsibility of the Planning Director using water demand factors for the proposed land uses.

8. **Water conservation.** New development shall limit the irrigated landscape area as follows:

- a. The irrigated landscape area for a single family dwelling shall be limited to a maximum of 15 percent of the lot area or 1,500 square feet, whichever is less. Turf area shall be limited to 20 percent of the irrigated landscape area.

Example: a 6,000 square foot lot may have up to 900 square feet of irrigated landscape. Of that 900 square feet, up to 180 square feet may be turf.

- b. The irrigated landscape area for a multi-family project shall be limited to a maximum of 6,000 square feet per acre. Irrigated turf is limited to common active use areas only and may not exceed 20 percent of the irrigated landscape area.
- c. All other uses shall be landscaped in compliance with Chapter 22.16 - Landscaping Standards. Irrigated turf may be authorized by the Review Authority for active use areas only.

9. **Public facilities and capital improvements.** Prior to recording a final map, issuance of construction permits or establishment of a use, public facility fees shall be paid per the Shandon Capital Improvement Plan (SCIP), unless, as part of the approval of a prior discretionary land use permit or land division application, the appropriate public facility fees were paid and/or public facilities were constructed consistent with the SCIP or Chapter 8 of the Shandon Community Plan in order to cover the cost of the public facility fees for subsequent projects or land uses.

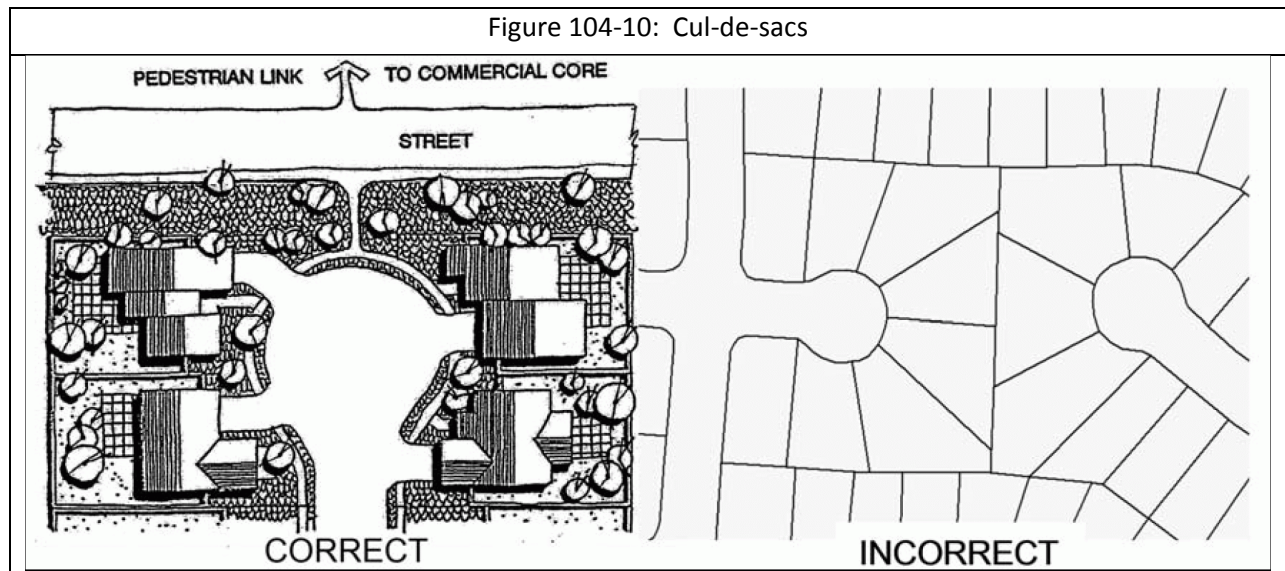
Prior to the adoption of the SCIP and adoption of an associated fee ordinance, land division applications of five or more parcels, or projects located on lots that were legally created prior to the adoption of the Shandon Community Plan where the intensity of the proposed development is such that wastewater disposal cannot be accommodated with an on-site septic system, public facilities shall be constructed pursuant to Subsection A.20.j. This standard does not apply to Master Plan Areas, which are otherwise subject to Subsection B.

10. **Street improvements required.** Sidewalks, curbs, gutters, street pavement, and street trees (consistent with the Shandon Community Plan Master Tree List, Appendix C of the Shandon Community Plan), are required in all land use categories, except in the Agriculture land use category. Street improvements, including sidewalk locations and parkway widths, shall be consistent with the Shandon Community Plan Street Sections. As necessary, additional right-of-way may be needed to be dedicated to accommodate the improvements. Alternative storm water conveyance methods require County Department of Public Works approval.
11. **Sewage disposal.** All new development shall connect to a community sewer system, except that new development on lots that were legally created prior to the adoption of the Shandon Community Plan that meet the minimum site area requirements of Section 22.10.110 are not required to connect to a community sewer system until such time the following criteria are met:
- a. The wastewater treatment plant is built with capacity to handle existing properties; and

- b. Sewer mains and/or collectors are installed within the existing neighborhood right-of-way; and
 - c. The subject property is within 200 feet of a sewer main or collector; and
 - d. The septic system on the subject property fails or the property owner obtains a building permit for a project that includes features that would increase potential wastewater generation (eg., adding a bathroom or bedroom); or
 - e. The State Regional Water Quality Control Board (or under the authority of another state or federal agency) mandates connection to the sewer.
- 12. **Master tree list.** When required, all street trees, and trees within commercial landscapes shall be selected from the Shandon Master Tree List, Appendix C of the Shandon Community Plan. When located within the public right-of-way, the street tree type and location shall also be approved by the County Department of Public Works.
- 13. **Drainage.** The following standards apply to all discretionary land use permits and land divisions:
 - a. Drainage shall be handled to maximize percolation and recharge.
 - b. Limit the amount of impervious surfaces to reduce runoff volumes.
 - c. Runoff control measures shall be included in new development to minimize the discharge of urban pollutants into drainage areas.
 - d. Stormwater quality measures, such as vegetated swales, linear bio-retention cells within open channels, and permeable paving materials shall be incorporated in new development.
- 14. **Habitat conservation.** All land use permits, land divisions and other "covered activities" as defined in the Shandon Community Plan Habitat Conservation Plan (HCP) or other applicable plan shall be developed consistent with HCP. Prior to adoption of an HCP, projects shall be consistent with the applicable mitigation measures shown in Appendix D of the Shandon Community Plan for biological resources.
- 15. **Solid waste disposal.** New discretionary development shall be required to subscribe to waste collection and recycling service.
- 16. **Cultural resources protection.** New development shall protect cultural resources as follows:

- a. All applications for land divisions and land use permits subject to discretionary review that involve grading, trenching or other ground disturbance shall include a Phase I archaeological survey of the site performed by a qualified archaeologist approved by the Environmental Coordinator. The survey shall include sufficient background archival research and field sampling to determine whether subsurface prehistoric or historic remains may be present. Any further evaluations and investigations and mitigation measures shall comply with County requirements and the provisions of Appendix D of the Shandon Community Plan relating to cultural resources.
 - b. All applications for land divisions and discretionary land use permits that involve the demolition or alterations of buildings or structures greater than 50 years old shall include documentation and evaluation of the historical significance of the those buildings or structures. The documentation and evaluation shall be performed by a qualified historian or architectural historian approved by the Environmental Coordinator. If such evaluation concludes that the buildings or structures are significant historical resources, then the qualified historian or architectural historian shall recommend measures to reduce impacts on historical resources, such as archival quality photographs, measured drawings, oral histories, and interpretive signs. Such measures shall be included in the project design, as applicable.
- 17. **Natural gas.** New development shall connect to natural gas facilities as follows:
 - a. All subdivisions shall install gas lines consistent with Title 21 of the County Code.
 - b. New single family residences or secondary dwellings on individual lots shall connect to natural gas where gas lines exist in the fronting right-of-way or where the property is adjacent to a gas line easement.
 - c. Multi-family or commercial uses shall connect to natural gas facilities.
- 18. **On-street diagonal parking.** On-street diagonal parking within public rights-of-way may be approved with Conditional Use Permit approval where adequate right-of-way is provided, and the Review Authority finds that there is adequate parking within a reasonable distance to the project for longer vehicles that cannot use diagonal parking.
- 19. **Public improvements.** Public improvements shall be installed or bonded for prior to recording final maps or final inspection. If necessary, the subject property shall be annexed into CSA-16.
- 20. **Land divisions.** The following standards apply to new land divisions:
 - a. **Conditional Use Permit required.** Applications for land divisions shall require concurrent Conditional Use Permit approval.

- b. **Block length.** Blocks lengths shall promote through circulation that accommodates vehicles, pedestrians, and bicycles consistent with Chapter 5 of the Shandon Community Plan. Residential blocks developed with single family lots or other small lot development shall be no longer than 400 feet. Block lengths in the Commercial Retail land use category shall be determined by the Review Authority based on the proposed uses, size of building and parking requirements (pedestrian connection are required pursuant to Section Subsection C.3.a). Where traditional downtown commercial blocks are proposed, shorter block lengths between 250 feet and 350 feet are encouraged. The Review Authority may approve longer blocks for large lot development or where site conditions (such as adjacency to a creek) do not necessitate through circulation.
- c. **Cul-de-sacs.** Through-streets are preferred over cul-de-sacs, which should be limited. Where cul-de-sacs are proposed and they are adjacent to a park, other legally accessible open space, or a collector or arterial street, they shall be opened to allow visible and convenient pedestrian and bike circulation (see Figure 104-10).



- d. **Common areas.** When common areas are proposed or required, applicants shall establish mechanisms for guaranteed long-term management and maintenance of the common areas.
- e. **Notice to future tenants.** Applicants shall give notice to future owners and tenants of any conditions of approval or requirements associated with the project that are applicable to their particular lot or common areas within the subdivision.

- f. **Water system.** Each development shall have at least two points of connection to the community water system, as determined appropriate by the County Public Works Department.
- g. **Wastewater system.** New development shall install "backbone" wastewater pipelines, consistent with the approved Shandon Capital Improvement Plan (SCIP) or, prior to the adoption of the SCIP, Chapters 7 and 8 of the Shandon Community Plan, to meet upstream full-buildout demand, as determined appropriate by the County Public Works Department.
- h. **Drainage.** Applications for new land divisions shall include an assessment of a project's potential impacts on the local and sub-regional storm drainage systems so that the County can determine appropriate measures to ensure that system capacity and peak flow restrictions are not exceeded, as determined appropriate by the County Public Works Department.
- i. **Public facilities and capital improvements.** New land divisions shall require the development of the applicable public facilities identified in the Shandon Capital Improvement Plan (SCIP). Public improvements shall be installed or bonded for prior to recordation of final maps and, if necessary, a reimbursement agreement shall be made with the County, consistent with Ordinance 3129. The following standard applies prior to adoption of the SCIP.
- j. Prior to the adoption of the Shandon Capital Improvement Plan (SCIP), the first land division resulting in five or more parcels shall be responsible for constructing the following public facilities (if not previously constructed by a separate entity).
 - (1) The circulation improvements listed as items A-1, A-7, and A-12 in Table 8.3.a of the Shandon Community Plan.
 - (2) The following water system improvements listed in Table 8.3b of the Shandon Community Plan, as determined to be appropriate by County Public Works: items B-1 through B-6 if the land division is located east of San Juan Creek, or items B-1 through B-5 and items B-7 through B-10, if the land division is located west of San Juan Creek. Water system improvements shall be consistent with the CSA-16 Water Master Plan. If the CSA-16 Water Master Plan has not been updated subsequent to the adoption of the Shandon Community Plan, then the water system improvements shall provide the following:
 - (i) Project-specific evaluations of velocities and pressure throughout the system at various demand scenarios, and

- (ii) Project-specific hydraulic modeling and fire flow analyses to evaluate impacts to operating pressures and fire flow availability in the existing and proposed water system and determine what, if any, additional water system upgrades may be required for the project, and
 - (iii) Design criteria and standards for various components of the water system, including pipe sizing, well capacities, fire flow requirements, pipe velocities and pressures.
- (3) The following wastewater system improvements listed in Table 8.3.c of the Shandon Community Plan, as determined to be appropriate by County Public Works: items C-1 through C-12, if the land division is located east of San Juan Creek, or items C-1 through C-4, and items C-13 and C-14, if the land division is located west of San Juan Creek.

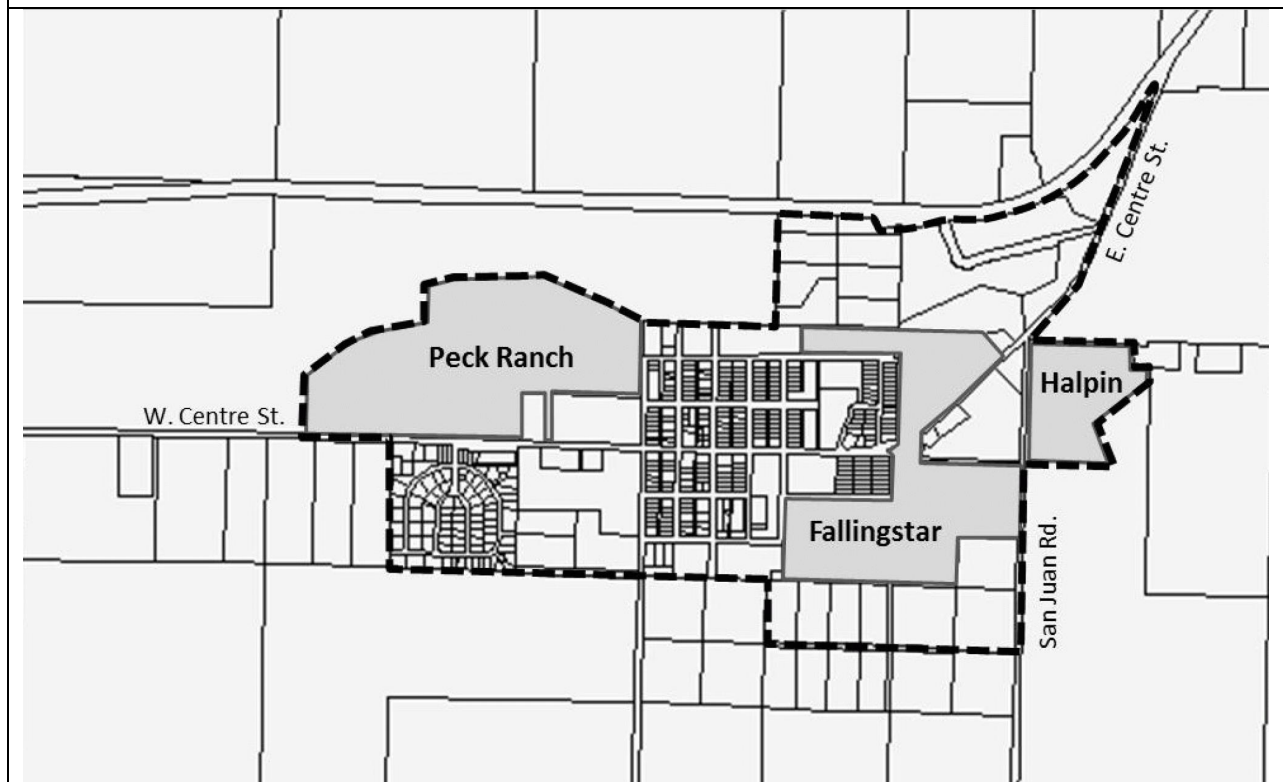
These improvements shall be consistent with Chapters 7 and 8, and Appendices B and E of the Shandon Community Plan. Public improvements shall be installed or bonded for prior to recording final maps. If necessary, the applicant shall enter into a reimbursement agreement, consistent with County Ordinance 3129, and the subject property shall be annexed into CSA-16 and receive a Conditional Will-Serve Letter from CSA-16.

- k. **Street lights.** Street lights shall be included with all new land divisions. They shall be designed and installed to limit light pollution, consistent with best practices endorsed by the International Dark Sky Association, and be low-energy-using fixtures, such as LED. If necessary, the subdivision shall be annexed into CSA-16 or another established special district.

[Added 2012, Ord. 3222]

- B. Master Plan Areas.** The following standards apply to the Master Plan Areas as shown in Figure 104-11.

Figure 104-11: Master Plan Areas



1. **Permit requirement.** Conditional Use Permit approval is required prior to any new development in any of the Master Plan Areas shown in Figure 104-11, unless the property owner elects to prepare a Specific Plan, consistent Government Code Sections 65450 and 65457. The Conditional Use Permit or Specific Plan shall address, at a minimum, the following:
 - a. Specify permit requirements for subsequent development.
 - b. If not previously constructed by a separate entity, require the construction of the circulation improvements listed in Subsection A.20.j(1).
 - c. If not previously constructed by a separate entity, as determined appropriate by the Public Works Department, require the construction of the water system improvements and wastewater system improvements listed in Subsections A.20.j (2) and (3).
 - d. Pursuant to the Shandon Capital Improvement Plan (SCIP) or Chapter 8 of the Shandon Community Plan if the SCIP is not adopted, Public Facility reimbursement payments shall be determined, if the project's "associated costs" for each improvement type (circulation, water, wastewater and drainage (based on the SCIP or Table 8.4 of the Shandon Community Plan) exceed the

total costs for each improvement type the applicant is obligated to construct as required by Subsections B.1.b and B.1.c. Example: Project A is conditioned or "obligated" to construct circulation items totaling \$1.2 million but the project's total "associated" (fair share) costs for all of the circulation items is \$2.0 million, then Project A would be responsible to pay \$800,000 in reimbursement. If an applicant's "obligated costs" exceed the "associated costs," the applicant shall enter into a reimbursement agreement, consistent with County Ordinance 3129.

- e. Address the requirements of Section 3.2.1 of the Shandon Community Plan.
 - f. Provide for appropriately-sized parks, pursuant to Section 6.2 of the Shandon Community Plan.
2. **Master Plan Area consistency requirements.** Development within each Master Plan Area shall be consistent with the land use plans shown in Figures 3.3 or 3.4, and corresponding Tables 3.5, 3.6 or 3.7 of the Shandon Community Plan. In addition, development shall follow the Master Plan Objectives, Master Plan Sustainability Principles, and the Master Plan Design Principles found in Section 3.2.2, 3.2.3 and 3.3 of the Shandon Community Plan. Public facility improvements shall be consistent with Shandon Capital Improvement Plan (SCIP), or if a SCIP has not been adopted, Chapters 7 and 8 and Appendices B and E of the Shandon Community Plan.
3. **Land use category changes.** A General Plan amendment shall be processed concurrently with the processing of the first discretionary entitlements for the Halpin and Peck Ranch Master Plans. The General Plan Amendment shall include the necessary land use category changes from Agriculture to urban land use categories, consistent with Figure 3.1 of the Shandon Community Plan and changes to the Central Business District boundary consistent with the vision for the Centre Street Commercial Corridor described in Section 3.1.2 of the Shandon Community Plan.

[Added 2012, Ord. 3222]

- C. **Commercial Retail (CR) and Commercial Service (CS).** The following standards apply to both the Commercial Retail and Commercial Service land use categories. They are intended to help implement the commercial design policies of the Shandon Community Plan and create a welcoming and aesthetically pleasing built environment that is well-connected to surrounding neighborhoods, providing easy accessibility by both vehicles and pedestrians.
- 1. **Permit requirement.** Minor Use Permit approval is required, unless a Conditional Use Permit is otherwise required by the Land Use Ordinance.
 - 2. **Design policies and guidelines.** Development shall be consistent with the Commercial Land Use and Neighborhood Design Policies in Chapter 3 of the Shandon Community Plan. The Commercial Design Guidelines found in Section 9.6 of the Shandon

Community Plan shall be used in project design. Guidelines are not to be applied as individual standards but rather as a list of options for design techniques or project features.

3. **Site design and architecture.** New development shall comply with the following design standards.
 - a. Site design, building orientation and placement shall carefully integrate pedestrian connections to any adjoining residential neighborhoods in ways that maximize ease of access and ensure the safety and security of both commercial and residential uses.
 - b. For sites adjacent to land in the Agriculture land use category, buildings shall be located, designed, and oriented to protect agricultural resources.
 - c. Pedestrian furniture, landscaping (including trees) and other "streetscape" amenities located within the public right-of-way shall require an encroachment permit issued by the County Department of Public Works. The permit will identify maintenance and liability responsibilities of the adjacent property owners.
 - d. Parking shall be designed for safe ingress and egress to commercial centers. Pedestrian connections and linkages shall have a well-defined separation from vehicle circulation. A landscape buffer with a minimum width of five feet shall be provided between parking lots and pedestrian rights-of-way.
 - e. Parking lots on sites that have at least two driveways that serve buildings that are greater than 100 feet from street parking shall include at least two on-site spaces that accommodate long vehicles. These may be tandem spaces that allow for a vehicle to "pull-through" the parking spaces. This standard may be waived or modified with Minor Use Permit approval.
 - f. Loading, delivery and service areas shall be located at the rear or side of the site rather than the front. This does not include areas for short-term deliveries made by standard-sized vehicles or delivery vans. Loading, delivery and service areas shall be separate and screened from public areas, or where adjacent to a residential use or Residential land use category, by the use of decorative walls and landscape features.
 - g. Trash enclosures shall be screened from view with a combination of landscaping and solid walls.
4. **Lighting.** Exterior lighting shall kept to the minimum as needed for safety and security to illuminate building entrances, parking and loading areas, and pedestrian walkways. The style of the fixtures shall be consistent with the overall project architectural concept

and harmonious with the building design. Lighting shall be oriented away from sensitive uses, hooded or shielded, located to direct light pools downward and prevent glare, and consistent with best practices endorsed by the International Dark Sky Association. An exterior lighting plan shall be submitted with all discretionary projects and prepared by a qualified professional who is a current member of the Illuminating Engineering Society of North America.

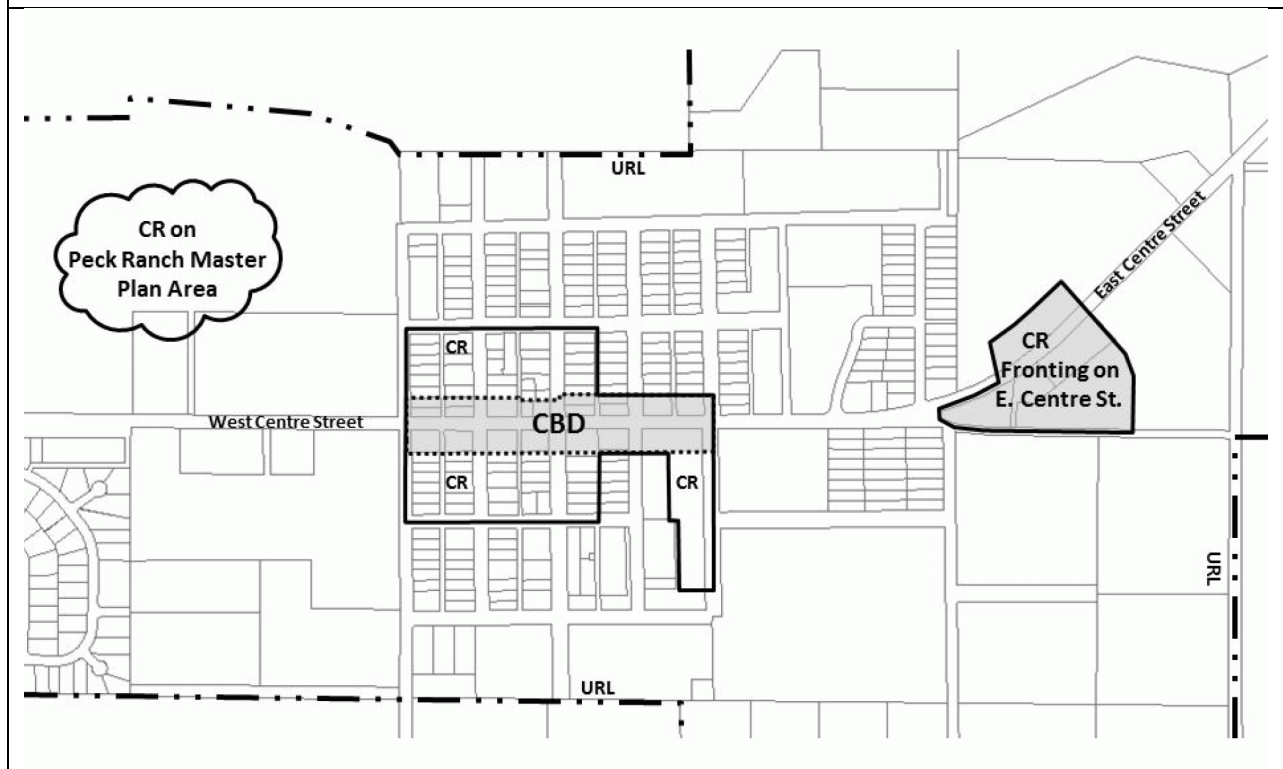
5. **Commercial traffic.** If development of a non-residential project results in the community exceeding the maximum communitywide floor area for the applicable non-residential land use as shown in Table 3.1 of the Shandon Community Plan, an additional traffic study shall be submitted with the required land use permit application.

[Added 2012, Ord. 3222]

- D. **Commercial Retail (CR).** The following standards apply only within the Commercial Retail land use category.

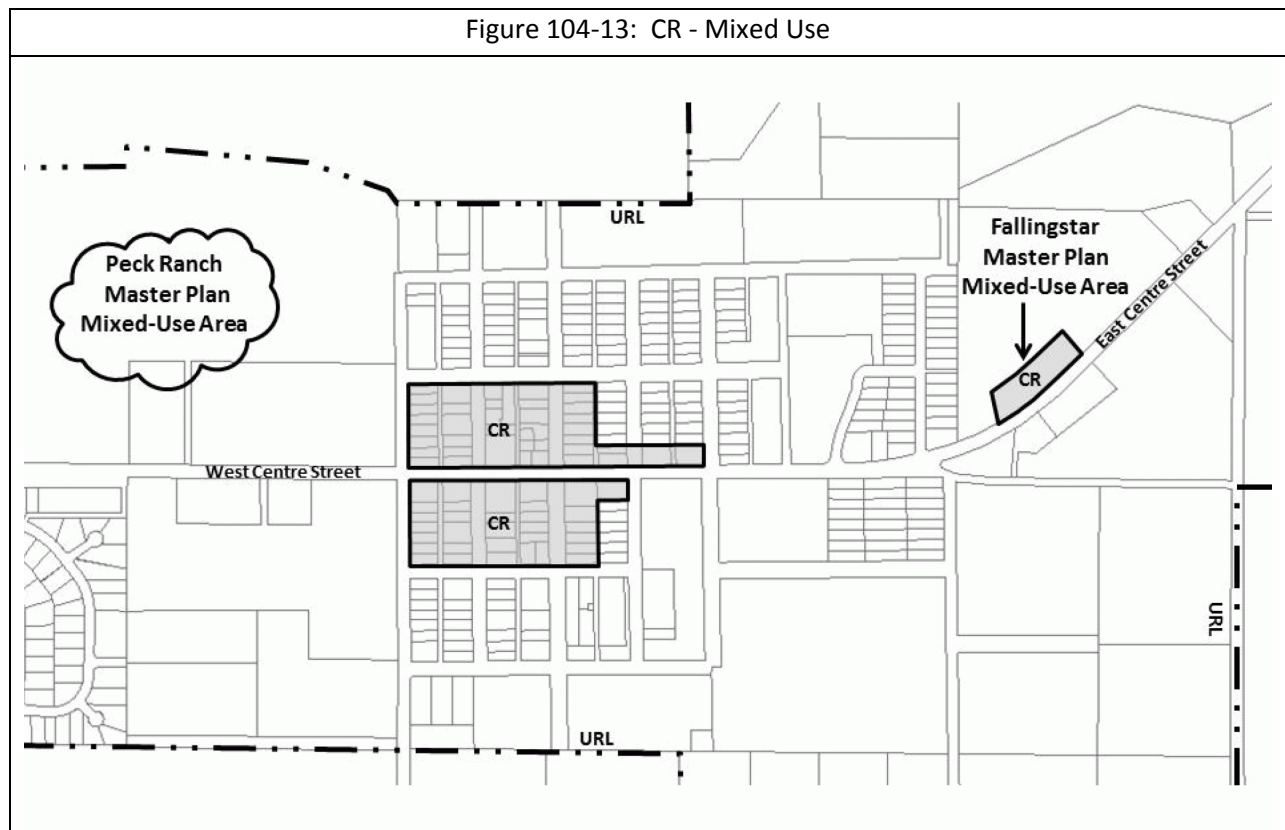
1. **Site design and architecture.** In addition to Subsection C.3, new development in the CR land use category shall be consistent with the following site design and architecture standards:
 - a. Significant buildings with prominent architectural features shall be located near corners and intersections whenever possible.
 - b. At least 75 percent of the ground floor length of street-fronting buildings shall include architectural elements or details such as recessed windows and entries, display windows, offset surfaces, differentiated piers and columns, offset planes, textured materials, awnings, and compatible landscaping, or other details which are of interest to pedestrians.
 - c. For the areas shown in Figure 104-12 that are within the Central Business District, fronting on East Centre Street between San Juan Creek and San Juan Road, or on the portions of the Peck Ranch Master Plan Area not fronting on West Centre Street, orient building entrances toward the street. Front setback shall be from zero to five feet, except that greater setbacks may be authorized by the Review Authority to accommodate pedestrian plazas, patios, courtyards or other entry features of interest. Where site area allows, additional buildings may be located to the rear of a site. On-site parking shall be located behind the front buildings. On sites where additional buildings are located on the rear of a site, parking may be located in front of those buildings.

Figure 104-12: CR - Areas with building location requirements



- d. **Parking lots.** Parking lots shall consist of small bays with 24 or fewer spaces and include walkways and landscaping between the parking bays.
- e. **Downtown parking.** Within the Central Business District (CBD), on-street parking fronting the subject site may be counted toward the required number of on-site parking spaces. The Review Authority may approve a greater reduction in the number of required parking spaces, based on the findings found in Section 22.18.020.H, because the characteristics of the immediate vicinity (the CBD) is compact, pedestrian oriented, and multiple businesses may be visited in one stop by using the same parking space.
- f. **Parking lot access.** Access to parking lots in the CBD shall be from either a side street or an existing alley (but not Centre Street), except for the following locations:
 - (1) On the south side of Centre Street between Third and Fourth Streets, a new mid-block alley may be created for access, provided that it is shared by both parcels on that block.

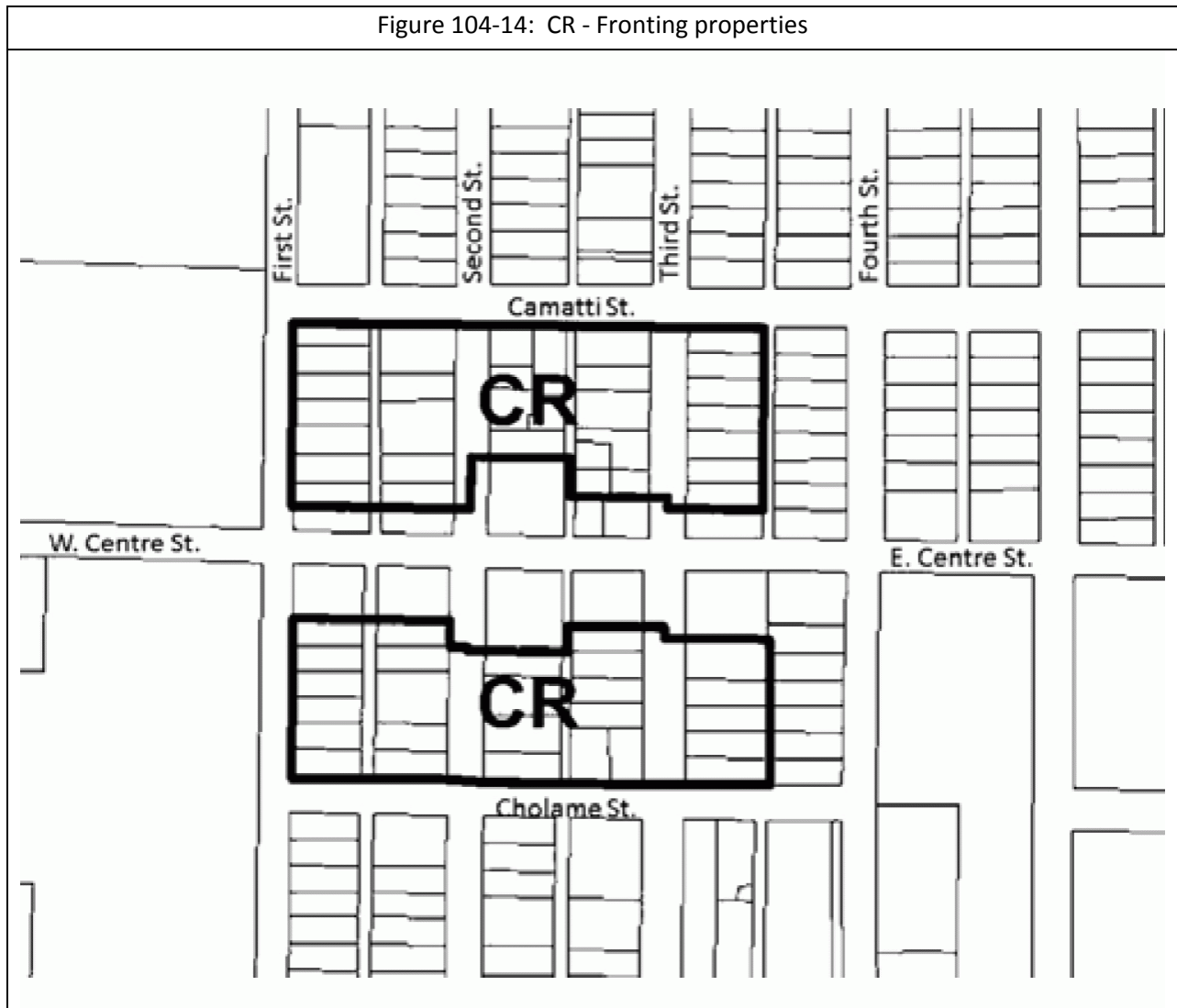
- (2) On the south side of Centre Street between Fourth and Fifth Streets, if access from Fifth Street is not feasible due to required creek setbacks, a second access point onto Centre Street is allowable.
2. **Limitation on use.** Residential uses are not allowed on properties in the Commercial Retail land use category, except for the mixed-use areas as shown in Figure 104-13 and described in the standards in Subsection D.3.
3. **Mixed Use Standards.** The following standards apply only in the Commercial Retail land use category in the areas intended for mixed-use development as shown in Figure 104-13, and to the specific mixed-use development areas described in the following subsections, as applicable.



- a. In the Peck Ranch Master Plan Area, mixed-use development is limited to the Commercial Retail area that is located north of the community park and fire station and is not allowed on the Commercial Retail area fronting on Centre Street. The maximum total number of residential units in the Peck Ranch Master Plan area shall be 40 units, and the maximum total acreage of mixed use development shall be limited to four acres.

- b. In the Fallingstar Master Plan Area, mixed-use development is limited to the Commercial Retail area that is located north of Centre Street. The maximum total number of residential units in the Fallingstar Master Plan Area shall be 21 units, and the maximum total acreage of mixed-use development shall be limited to 2.2 acres.
- c. New development shall consist of a combination of a primary non-residential use and a secondary residential use with an equal or lesser floor area, except for properties that front only on First, Second, Third, Camatti, or Cholame Streets (as shown in Figure 104-14), where the commercial portion of the development may have less floor area than the residential use, as determined appropriate by the Review Authority.

Figure 104-14: CR - Fronting properties

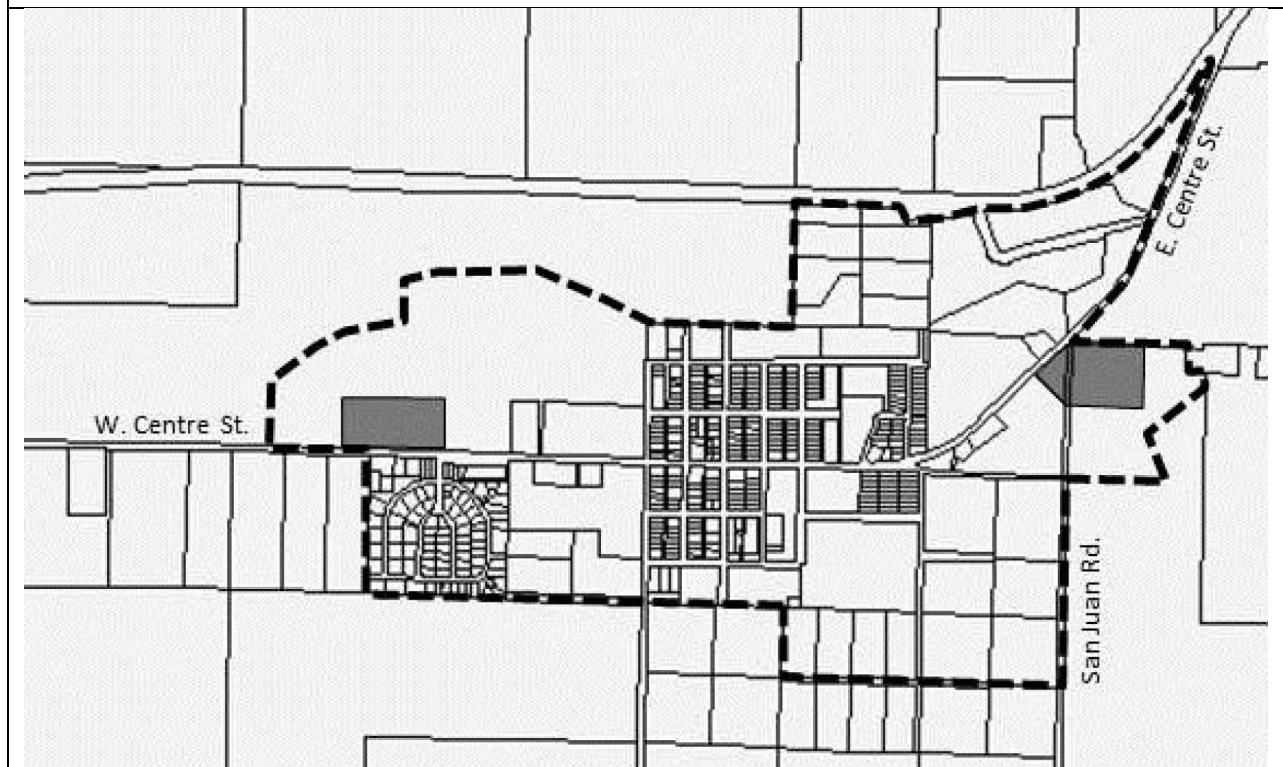


- d. Residential uses existing prior to adoption of the Shandon Community Plan and located on properties that front only on First, Second, Third, Camatti or Cholame Streets (as shown in Figure 104-14), may continue and be expanded or remodeled as a primary use without the limitations imposed by Section 22.72.050 - Nonconforming Uses of Land and without being required to include commercial development.
 - e. **Minimum site area and residential density.** The minimum site area for mixed-use development is 3,500 square feet. The maximum residential density is 10 units per gross acre, calculated using the acreage of the entire site, except for properties that front only on First, Second, Third, Camatti or Cholame Streets (as shown in Figure 104-14). For properties that front only on First, Second, Third, Camatti or Cholame Streets, the maximum number of dwelling units is one primary dwelling, and, on lots equal to or greater than 6,000 square feet, one additional dwelling that meets the standards of Section 22.30.470 - Residential - Secondary Dwellings.
 - f. **Floor area and open area.** The maximum floor area and minimum open area requirements in Section 22.10.130.B.2 shall not apply. Instead, the land use permit shall require an amount of private open space and common area for privacy, recreation, light, and air that is appropriate for the nature of the project.
 - g. **Location of residential development.** For properties fronting on Centre Street, between First and Fifth Streets, residential development shall be located only on the upper floor above the primary non-residential use of the site.
4. **The southeast corner of Fourth Street and East Centre Street.** At the time of the adoption of the Shandon Community Plan, this site was located in both the Commercial Retail and Residential Single Family land use categories. Prior to the first new development on this site, Conditional Use Permit approval is required to determine the precise location of the land use category boundary, pursuant to Section 22.02.020.D.4.

[Added 2012, Ord. 3222]

- E. **Commercial Service (CS) - Business Park Sites.** The following standards apply to the business park sites described in Chapter 3 of the Shandon Community Plan and shown in Figure 104-15.

Figure 104-15: CS - Business Park Sites



1. **Limitation on use.** Land uses shall be limited to the those in the following use groups: Industry, Manufacturing and Processing, excluding concrete, gypsum and plaster products, recycling - scrap and dismantling yards, and stone and cut stone products; Recreation, Education & Public Assembly, excluding outdoor sports and recreation facilities and sports assembly; Services (includes offices); Retail Trade-limited to uses that are in support of the business park; and Agriculture, Resource, and Open Space-limited to agricultural processing and nursery specialties only.
2. **Setbacks.** The minimum setback shall be 15 feet along Centre Street and San Juan Road in order to help create a tree-lined streetscape and gateway into Shandon.

[Added 2012, Ord. 3222]

- F. **Commercial Service (CS) - East Centre Street and Highway 46.** The following standards apply to the property located at the intersection of East Centre Street and Highway 46 as shown in Figure 104-16.

Figure 104-16: CS - East Centre Street and Highway 46



1. **Limitation on use.** Allowable uses shall be limited to Ag Processing, Animal hospitals and veterinary medical facilities, crop production and grazing, nursery specialties, Small Scale Manufacturing (limited to artisan and craftsman-type operations), Indoor Amusement and Recreation Facilities, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, Automobile Service Stations/Gas Stations, General Retail, Restaurants, and Lodging, and Personal Services.
2. **Project design.** Buildings and associated improvements shall be designed to be small and low-profile, with a maximum height of 28 feet above average natural grade. Architecture shall be a village and/or agricultural style that blends with the surrounding area. Structures shall connect to natural gas facilities. This standard may be waived with Conditional Use Permit approval provided propane tanks, if proposed, can be adequately screened from public view.
3. **Signage.** Allowed signs shall be complementary to the site design and surrounding area. Signage is limited to monument signs of three feet or less in height, highway identification signs a maximum of 32 square feet in area and ten feet in height and one projecting, suspended, marquee or wall sign with a maximum area of 20 square feet, or one suspended sign with a maximum area of 10 square feet for each tenant or business.
4. **Landscape.** In addition to the requirements of Chapter 22.16 (Landscaping) landscape materials shall be selected to break up the view of the project from Highway 46 and

West Centre Street. Trees shall be selected from the Shandon Community Plan Master Tree List. Landscaping shall use permeable hardscape to the greatest extent feasible and native low water using landscape materials. Irrigated turf may be authorized by the Review Authority for active use areas only.

[Added 2012, Ord. 3222]

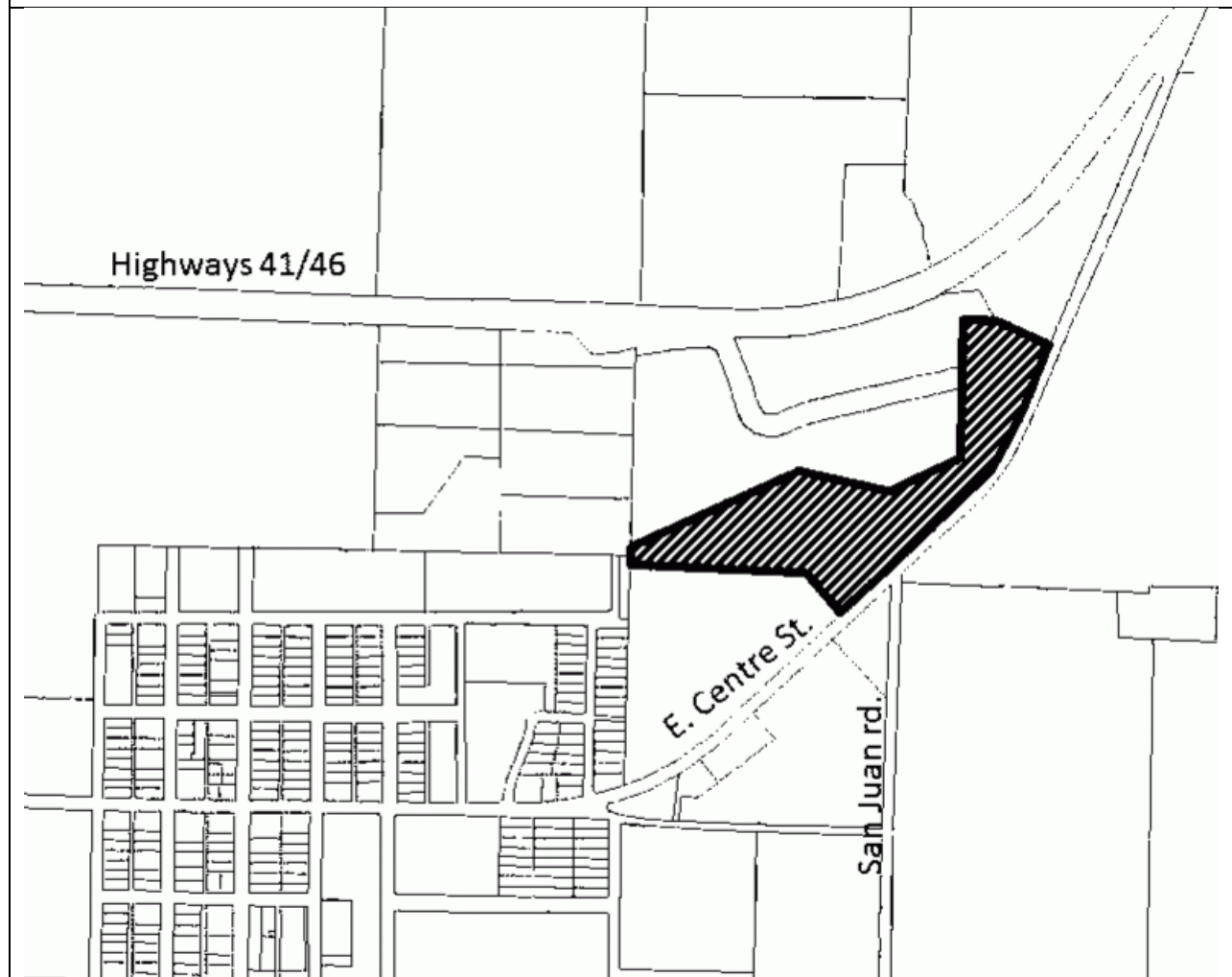
- G. Recreation (REC) - Limitation on use.** Within the Recreation land use category, uses are limited to: Crop Production and Grazing, Recycling - Collection Stations, Libraries and Museums, Outdoor Sports and Recreational Facilities, Public Assembly and Entertainment Facilities, Sports Assembly, Temporary Events, and Outdoor Retail Sales. Areas adjacent to Crawford W. Clarke Memorial Park are limited to the expansion of the community park.

[Added 2012, Ord. 3222]

- H. Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.

1. **Cholame Creek area - cluster requirement.** For property located north of East Centre Street, as shown in Figure 104-17, land divisions shall be clustered in compliance with Section 22.22.140, unless through a standard land division, building sites can be located a minimum of 100 feet from the top of the stream bank.

Figure 104-17: Cholame Creek Area

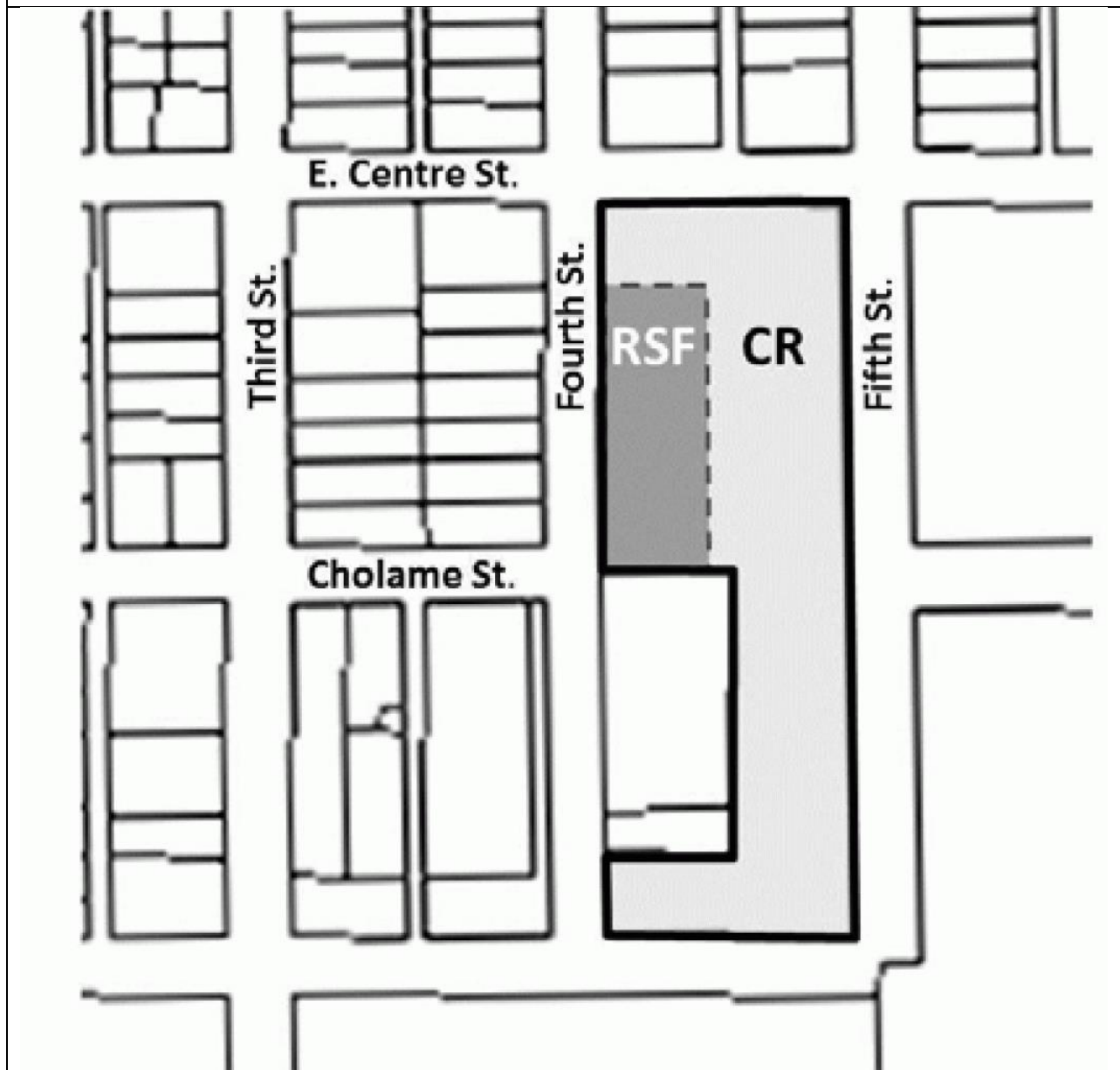


[Added 2012, Ord. 3222]

- I. **Residential Single Family (RSF).** The following standards apply within the Residential Single Family land use category
 1. **Density limitation and total number of units.** The maximum density on sites with areas of five or more acres shall be limited to 12 units per gross acre in portions of the site, provided that the overall density shall not exceed 4.3 units per gross acre. The cumulative total number of dwelling units within each Master Plan Area shown in Figure 104-11 shall not exceed the unit totals specified in its respective land use table, Table 3.5, 3.6 or 3.7 in the Shandon Community Plan. The cumulative number of units within the Shandon URL shall not exceed the total specified in Table 3.1 in the Shandon Community Plan.

2. **Setback requirements.** Minimum front yard setbacks shall be as follows:
 - a. 15 feet for the habitable portion of the residence;
 - b. 10 feet for covered porches or detached entry feature, such as an arbor or pergola;
 - c. Garages shall be setback 10 feet further back than the front of the habitable portion of the residence. Garage access from an alley or internal drive is preferred to access from the fronting street.
3. **Minimum parcel size.** The minimum parcel size for new land divisions shall be 4,500 square feet. Parcel sizes may be reduced through approval of a Specific Plan, Conditional Use Permit for a Master Plan, cluster division, condominium, Planned Development or similar residential unit ownership project in accordance with Section 22.22.080.
4. **Fourth Street south of East Centre Street - lot dimensions.** This standard applies to the RSF-portion of the property located on the east side of Fourth Street between Centre and Cholame Streets, as shown in Figure 104-18. Lot widths shall have dimensions that are similar to the lots on the westside of Fourth Street. Because there are two land use categories on this property, the precise location of the Residential Single Family land use category shall be determined through Conditional Use Permit approval pursuant to Section 22.02.020.D.4. This will also establish the depth of the residential lots.

Figure 104-18: RSF - Fourth Street



5. **Peaceful Valley Lane - land divisions.** For properties shown in Figure 104-19, the maximum density for land divisions is six lots per five acres (gross). Proposed lots on the northerly portion of the site shall have a minimum parcel size of 6,000 square feet, be clustered on the northerly portion of the site and use community water and sewer. On the southerly portion of the site, the minimum parcel size is 2.5 acres, and may use an on-site septic system, and community water or an on-site well. Figure 104-20 shows examples of lot layouts.

Figure 104-19: RSF - Peaceful Valley Lane

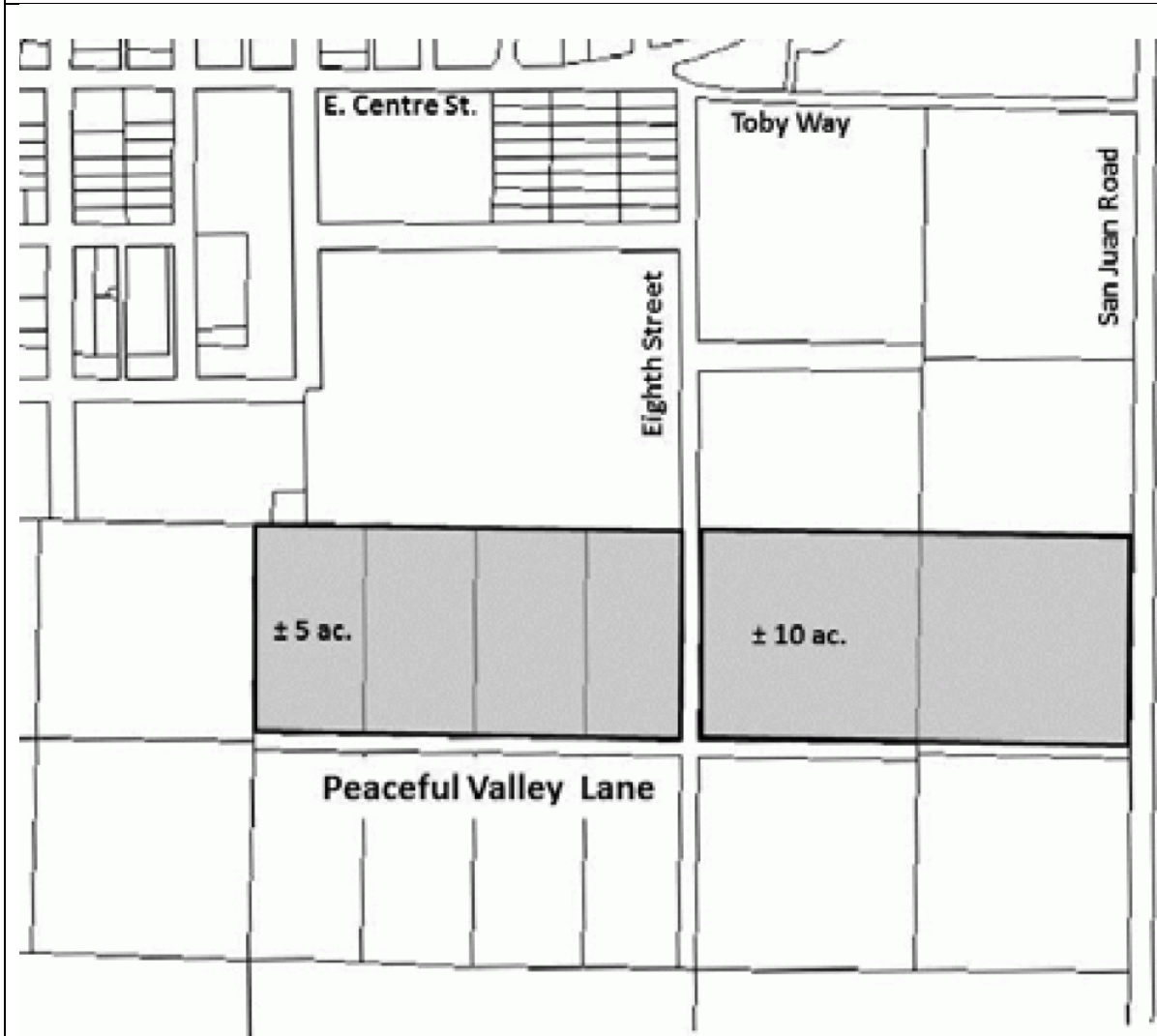
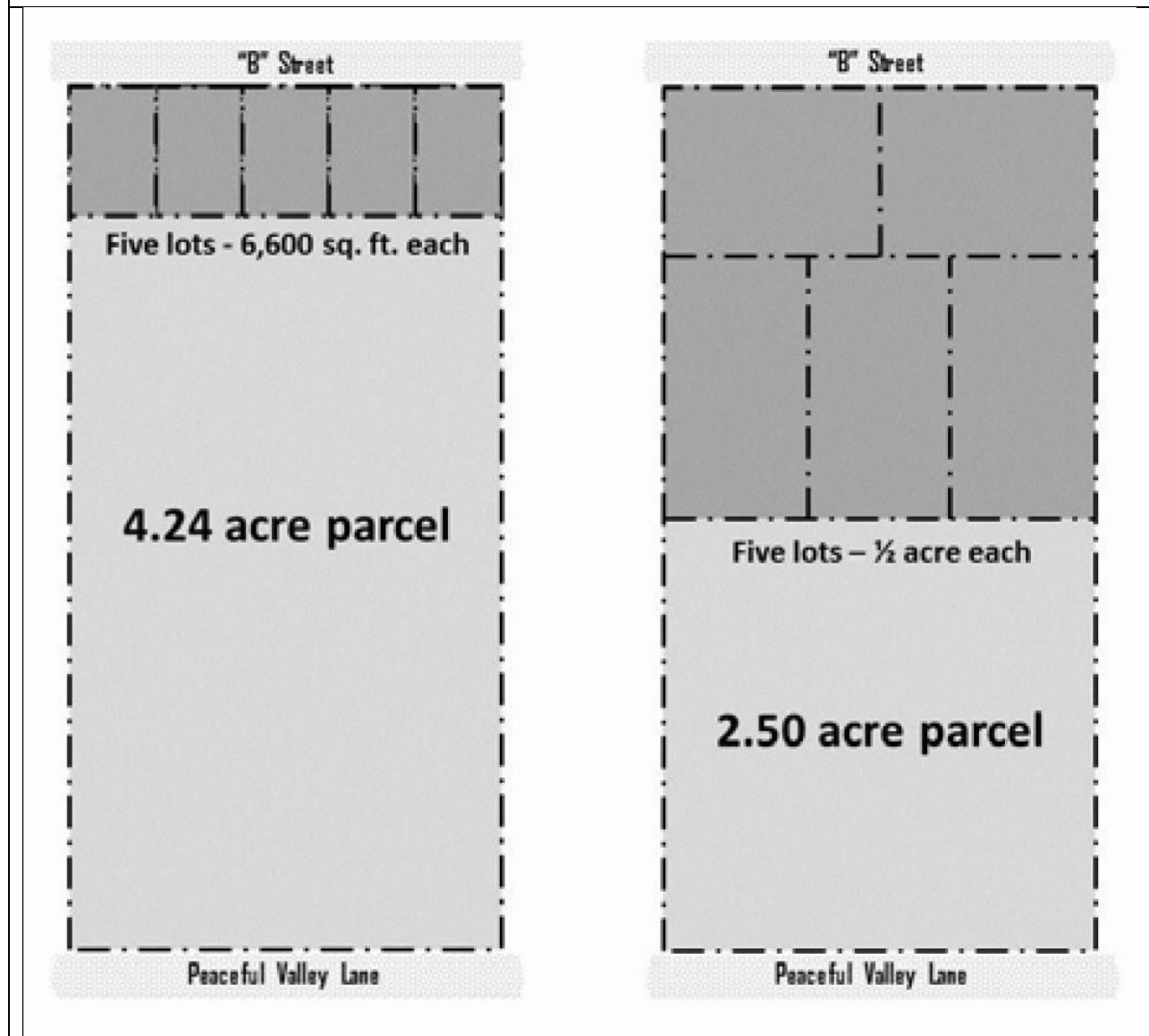


Figure 104-20: RSF - Lot Layout Examples



J. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family land use category.

1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted or conditional uses within the RMF land use category may be authorized in compliance with the land use permit requirements of that Section, except for Warehousing (mini-storage facilities) as a primary use.
2. **Density requirements and total number of units.** The minimum density shall be 13 units per gross acre. The minimum density may be reduced by the Review Authority where

lots are physically or environmentally constrained. The maximum density shall be 20 units per gross acre, not including affordable housing bonuses, provided that the cumulative total number of dwelling units within each Master Plan Area shown in Figure 104-11 does not exceed the unit totals specified in its respective land use table, Table 3.5 or 3.7 in the Shandon Community Plan. The cumulative number of units within the Shandon URL shall not exceed the total specified in Table 3.1 in the Shandon Community Plan.

3. **Site development.** Project site plans shall provide for connectivity to adjacent neighborhoods and commercial areas.
4. **Development with individual yards.** The following standards apply to multi-family projects that propose individual private yards rather than a usable common area.
 - a. **Usable private yards.** Usable common area is not required for development that includes usable private yards (for example, duplexes, half-plexes, row houses, or detached units), provided that the minimum open area of Section 22.10.130.B.2 is met, and the Review Authority finds that each unit will have an adequate amount of usable private space that is appropriate for a small-lot, single family residence. If multiple units are under single ownership, front yards and other shared spaces, such as parking or trash collection areas, shall be maintained collectively by the property owner.
 - b. **Setback requirements.** Minimum front yard setbacks shall be as follows:
 - (1) 15 feet for the habitable portion of the residence;
 - (2) 10 feet for covered porches or detached entry features, such as an arbor or pergola;
 - (3) Garages shall be set back 10 feet further than the front of the habitable portion of the residence. Garage access from an alley or internal drive is preferred to access from the fronting street.
5. **Large-lot developments.** The following standards apply to multi-family projects that provide usable common areas rather than usable private yards. This may include all forms of multi-family projects (apartments, row houses, patio homes, duplexes or detached units). Projects may be under single ownership or condominiums.
 - a. **Open area.** The minimum open area required by Section 22.10.130.B.2 shall include usable common open areas, not including front yard setbacks and private open areas, with a minimum of 200 square feet per unit.
 - b. **Private open area.** Each unit shall include a private open area with a minimum of 225 square feet of usable outdoor space having minimum dimensions of 10

feet. Upper story units with no ground floor shall have a minimum of 60 square feet of private area having a minimum dimension of six feet.

- c. **Parking location.** Parking areas shall not be located in the front of the lot between the street and the buildings.
- d. **Setback requirements.** Minimum front yard setbacks shall be as follows:
 - (1) 15 feet for the habitable portion of the residence;
 - (2) 10 feet for covered porches or detached entry feature, such as an arbor or pergola.
- e. **Common area maintenance.** Where common areas are proposed or required, the applicant shall establish mechanisms for guaranteed long-term management and maintenance of common areas.

[Added 2012, Ord. 3222]

22.104.090 – Templeton Community Standards

The following standards apply within the Templeton Urban Reserve Line, in the land use categories or areas listed, in addition to the requirements of Section 22.94.080.

A. Communitywide. The following standards apply to all land use categories inside the Templeton Urban Reserve Line.

- 1. **Compliance with the Templeton Community Design Plan.** All Minor Use Permit, Conditional Use Permit and subdivision applications shall be in conformity and compliance with the Templeton Community Design Plan, dated January 11, 1991 and subsequent amendments, which was duly adopted by the Board in Resolution No. 90-688 and is on file in the Office of the Clerk of the Board, and which is hereby incorporated by reference herein as though set forth in full.

Applicants and the general public are encouraged to read the Templeton Community Design Plan. The guidelines in the Templeton Community Design Plan are intended to provide for interpretation and flexibility in designing a project.

[Amended 2003, Ord. 3010]

- 2. **Permit requirements.**

- a. Minor Use Permit approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - (1) Agricultural and residential accessory structures;
 - (2) Minor exterior alterations, as well as expansions not to exceed 100 square feet, that are in conformance with the Templeton Community Design Plan may be exempted from this requirement by the Director. These projects are still subject to other applicable permit requirements;
 - (3) Multi-family residences and their accessory buildings that are required by this Title to have Zoning Clearance approval;
 - (4) Public parks;
 - (5) Single-family dwellings, additions to single family dwellings that are not adjacent to riparian habitats associated with blue line streams such as Toad Creek; or
 - (6) Secondary dwellings; or
 - (7) Where Conditional Use Permit approval is otherwise required by this Title.

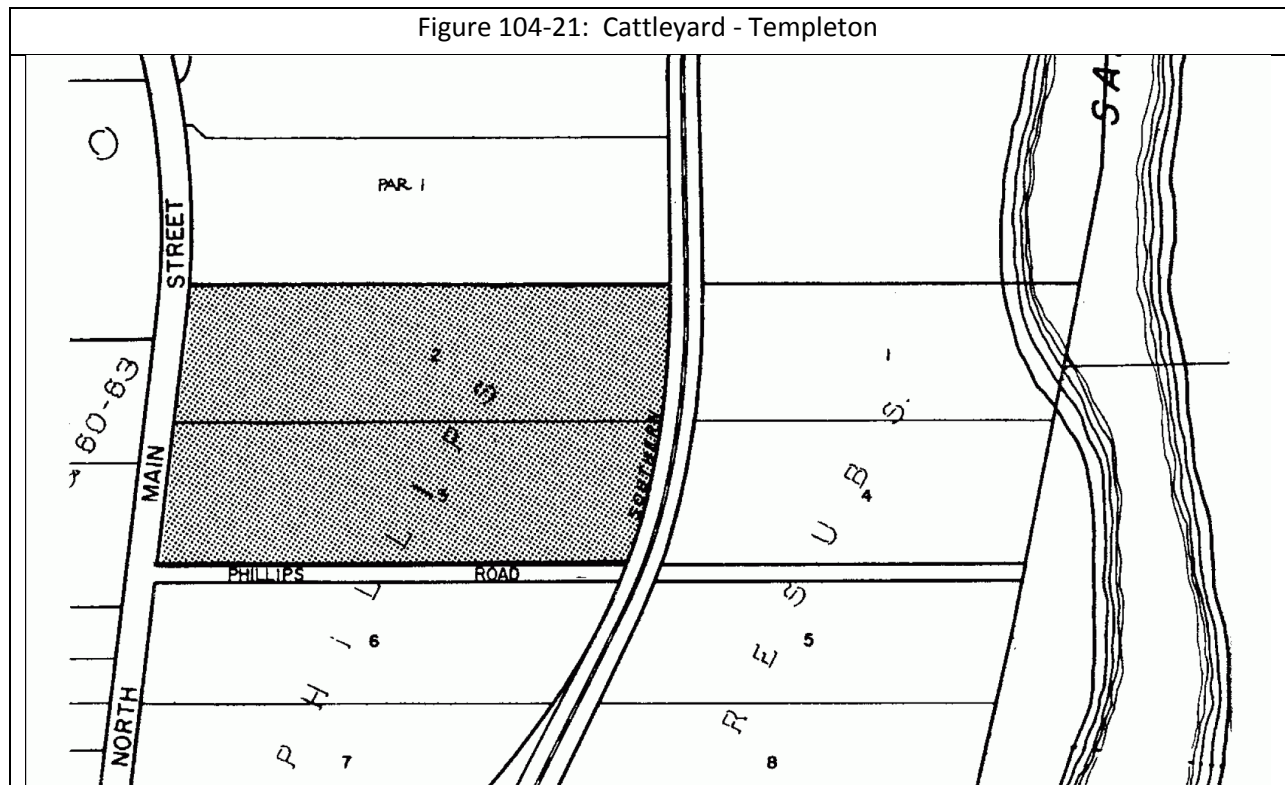
Site Plan Review or Zoning Clearances are classified as "ministerial" projects that by law are required to conform only to clearly defined criteria. The criteria in the following standards are based on the guidelines included in the Templeton Community Design Plan.

- b. New uses that are proposed to occupy existing development are not subject to the above permit requirement but are subject to land use permit approvals as required by this Title.
- c. Compliance with all authorized land use permits and proof of adequate water availability from the Templeton Community Services District shall be determined before issuance of a business license, in compliance with Chapter 22.02.

[Amended 2003, Ord. 3010; 2006, Ord. 3097]

- 3. **Preservation of natural features.** New development and proposed subdivisions shall be designed to retain significant features such as oak trees, riparian habitats, and prominent hills.

4. **Allowable use.** The existing cattle auction yard located on 1991 Assessors Parcel Number 040-211-015 shown in Figure 104-21 is an allowable conforming use in its present location.



- B. Combining Designations - Flood Hazard (FH) - Toad Creek Restoration.** In new development and subdivision applications on properties within the Toad Creek flood hazard area identified in the official maps, riparian plants, such as native trees and willows, shall be used for habitat restoration and enhancement without sacrificing flood protection, in addition to the creek preservation requirements on pages III-6 and 7 of the Templeton Community Design Plan.
- C. Commercial Retail (CR).** The following standards apply within the Commercial Retail category.
- Fence and wall requirement.** This standard applies to solid fences and walls that are proposed along public roads and will be visible from the public road. Fences and walls shall be constructed of durable and high quality materials including but not limited to: masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns. Solid wood fences are not allowed unless they are continuously screened with landscaping and maintained. Refer to the Templeton Community Design Plan, page V-16 through V-18, for criteria on fence and wall materials and detailing.

[Amended 2003, Ord. 3010]

2. **Las Tablas Road and Vineyard Drive areas.**

- a. **Streetside improvements.** Curbs, gutters, sidewalks and street paving are required with all projects.
- b. **Multi-Family dwellings outside the Central Business District.** Multi-family dwellings are allowable as an incidental use outside the central business district and may be authorized through Minor Use Permit approval, unless this Title would otherwise require a Conditional Use Permit. Multi-family dwellings that would be affordable to employees of proposed projects should be encouraged in all discretionary land use permits for commercial projects.
- c. **Limitation on use.**
 - (1) The following applies only to the land located on Las Tablas Road, west of Highway 101. All uses identified by Section 22.06.030 (Allowable Land Uses and Permit Requirements) as being allowable, permitted, or conditional uses may be authorized in compliance with the land use permit requirements of that Section, except the following: commercial retail uses that have a floor area on any one floor of 90,000 square feet or more.
 - (2) The following applies only to the land located on Vineyard Drive. All uses identified by Section 22.06.030 (Allowable Land Uses and Permit Requirements) as being allowable, permitted, or conditional uses may be authorized in compliance with the land use permit requirements of that Section, except the following: recycling collection stations, small scale manufacturing, mobile home parks, auto, mobilehome and vehicle dealers and supplies, recreational vehicle parks, and vehicle storage.

[Amended 2003, Ord. 3010]

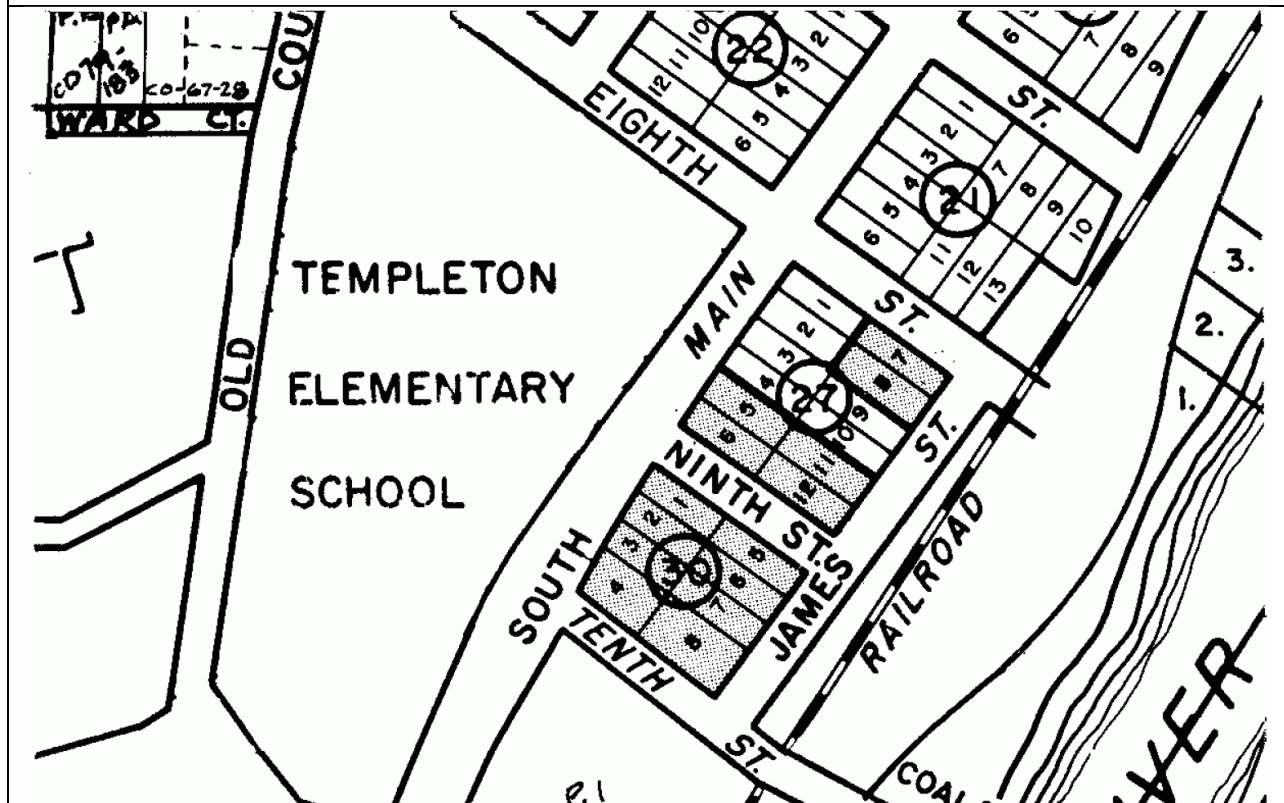
- 3. **Ramada Drive area - Conditional Use Permit requirement.** A Conditional Use Permit is required for each property ownership within the areas shown in Figure 104-22, prior to approval of subdivision or land use permit applications. The Templeton Community Design Plan shall guide the Conditional Use Permit.

Figure 104-22: CR - Ramada Drive Properties - Templeton



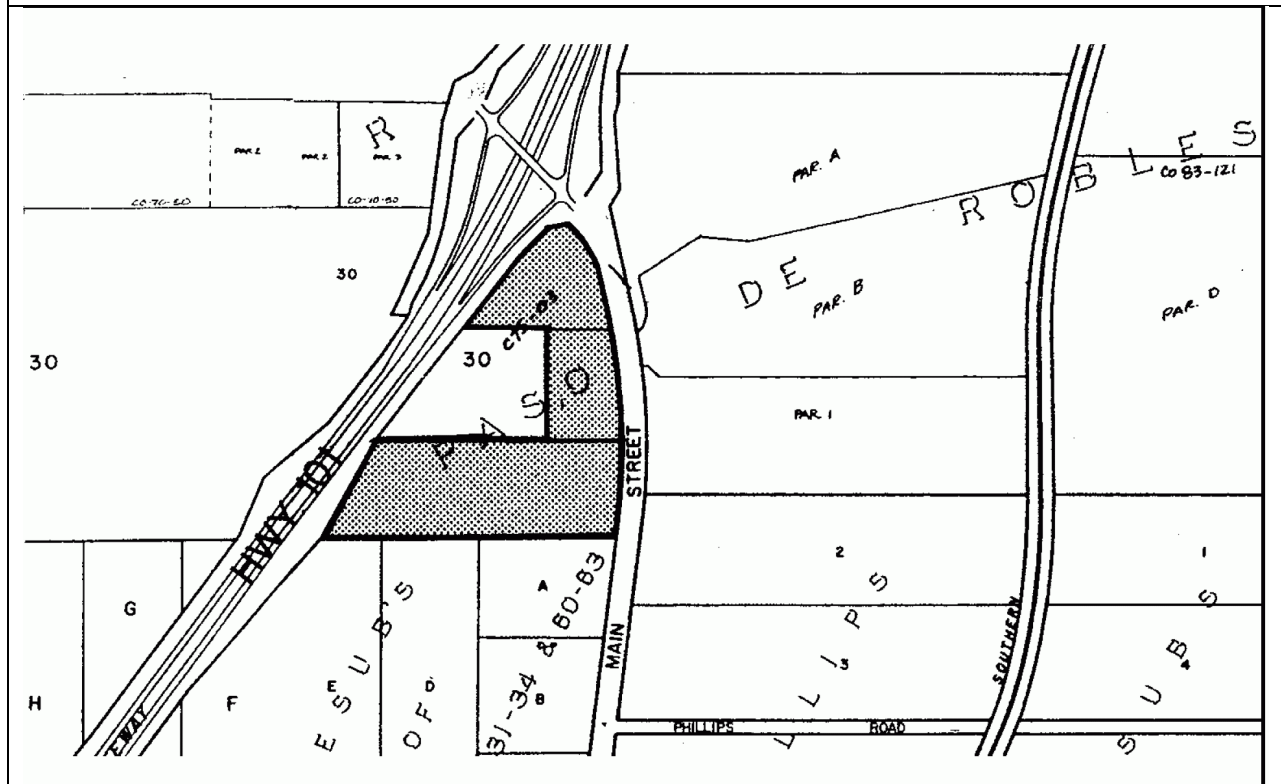
4. **Main from Eighth to Tenth Streets - Multi-family dwellings.** Multi-family dwellings as a principal use may be authorized through Conditional Use Permit approval on Blocks 27 and 30 of the Town of Templeton, shown in Figure 104-23.

Figure 104-23: CR - Main from Eighth to Tenth Street - Templeton



5. **Highway 101/North Main Street Interchange.** The following standards apply to the area located south of and adjacent to the Highway 101/North Main Street interchange on the east side of Highway 101 corresponding to Figure 104-24.

Figure 104-24: CR - Highway 101/North Main Street - Templeton



- a. **Limitation on use.** Land uses shall be limited to: bars and night clubs, restaurants; gas stations; offices; hotels and motels, in compliance with the land use permit requirements of Section 22.06.030.
- b. **Site planning.** Proposed development shall provide a minimum 25-foot landscaped setback from the Highway 101 right-of-way and any adjacent residential category for buffering and screening foreground views from the Highway 101 corridor and residential areas, while retaining background views. Other provisions for minimizing the visual impacts of grading and development as seen from Highway 101 and North Main Street shall integrate site development with the public facilities category and the grade elevation of North Main Street.

[Amended 1996, Ord. 2776, Amended 2010, Ord. 3207]

D. Commercial Service (CS). The following standards apply within the Commercial Service category.

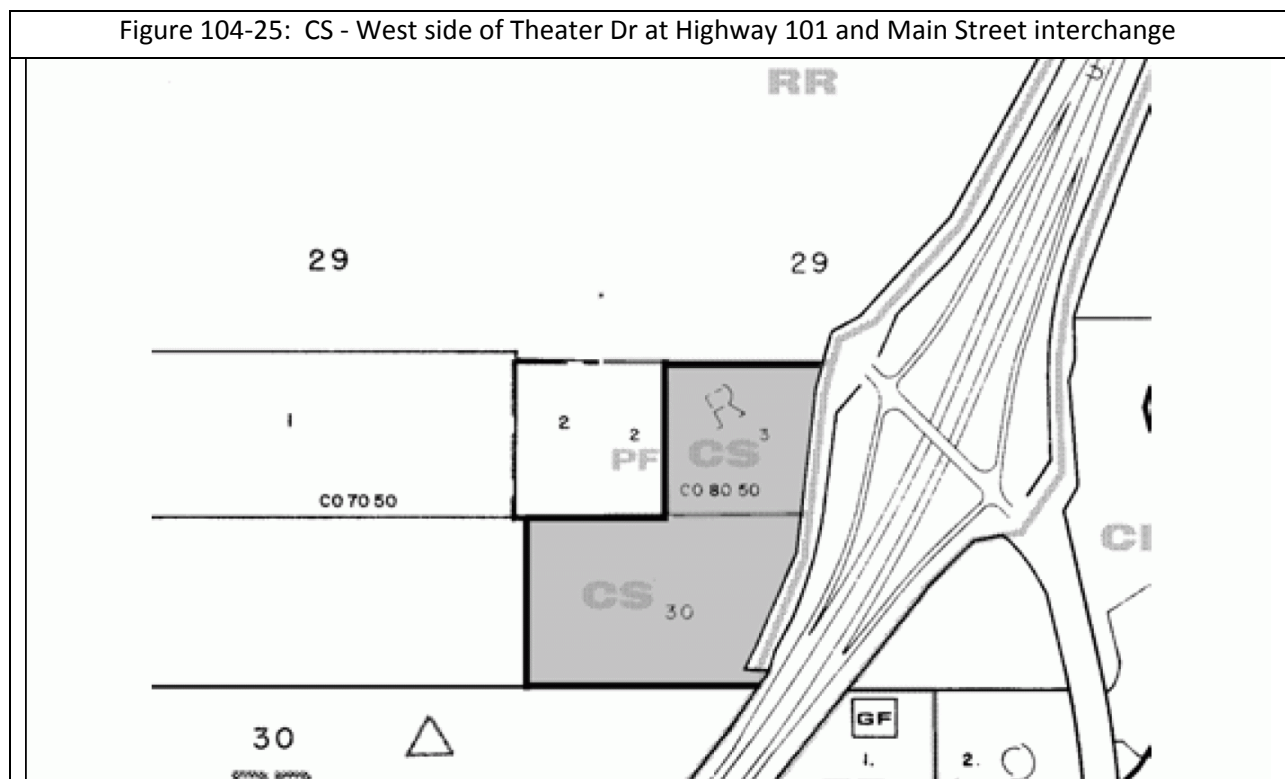
1. **Limitation on use within special setbacks.** All land uses identified by Section 22.06.030 (Allowable Land Uses and Permit Requirements) as being allowable, permitted, or conditional uses may be authorized in compliance with the land use permit

requirements of that Section, except the following, which are prohibited within 200 feet of collector and arterial streets, and residential categories: concrete, gypsum and plaster products; metal industries, fabricated; recycling and scrap; fuel dealers; storage yards and sales lots that are primary uses; and vehicle storage.

2. **Fence and wall requirement.** This standard applies to solid fences and walls that are proposed along public roads and will be visible from the public road. Fences and walls shall be constructed of durable and high quality materials including but not limited to: masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns. Solid wood fences are not allowed unless they are continuously screened with landscaping and maintained. Refer to the Templeton Community Design Plan, page V-16 through V-18, for criteria on fence and wall materials and detailing.

[Amended 2003, Ord. 3010]

3. **Theater Drive/Highway 101 interchange.** The following standards apply to a property on the west side of the Theater Drive/Highway 101 interchange, as shown in Figure 104-25.



- a. **Limitation on use.** Allowable land uses shall be limited to Building Materials and Hardware and incidental outdoor storage, Nursery Specialties, and Vehicle and Freight Terminals.

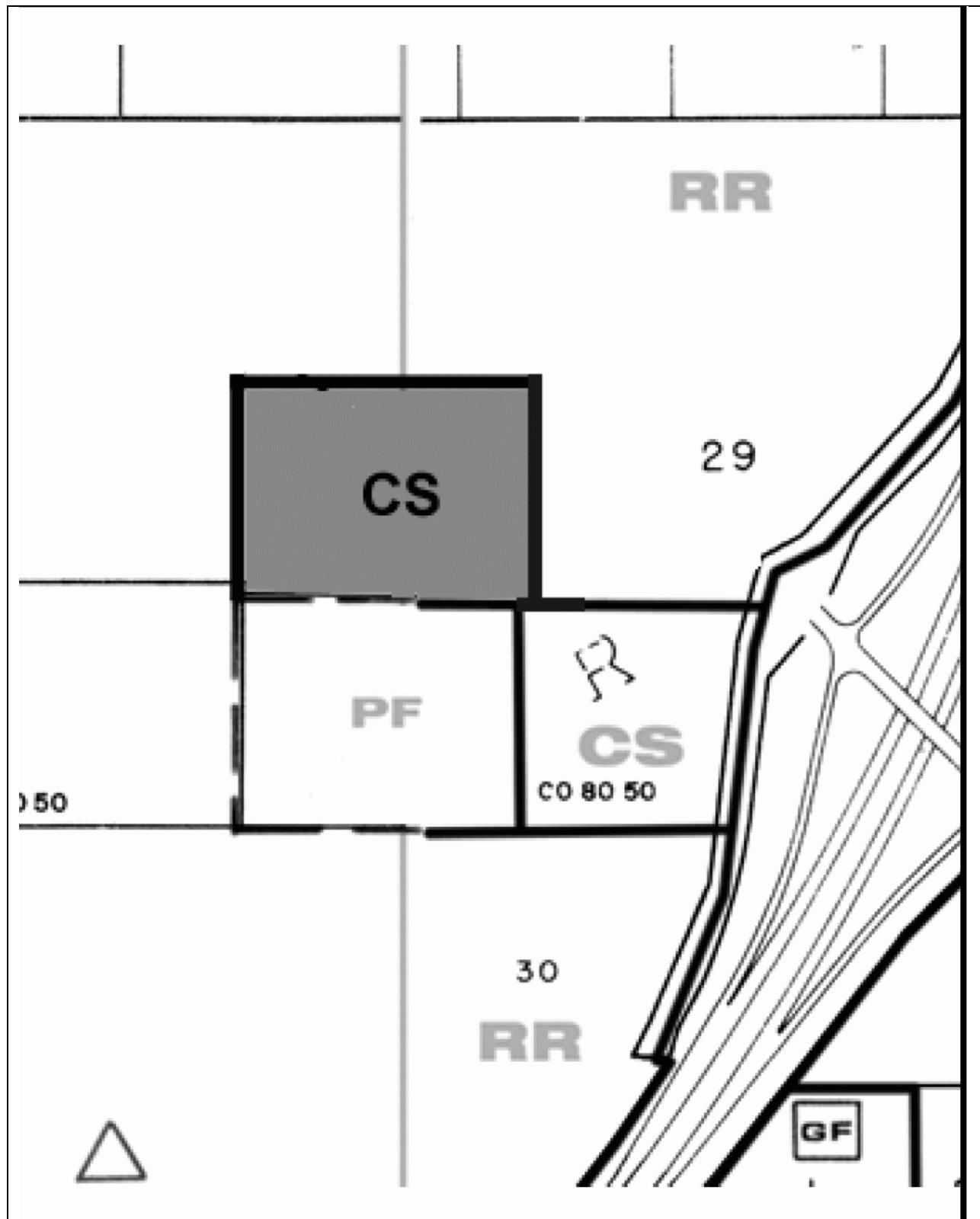
- b. **Height limitation.** The height of structures shall not exceed 25 feet, except that an additional five feet may be utilized for architectural features such as cupolas or gabled vents on no more than one-third the length of any building. This 25-foot height limitation may be increased subject to an adjustment in compliance with Section 22.70.030 subject to a visual study that supports a finding that buildings will have appropriate forms to minimize their visual impact on surrounding properties and Highway 101. On 2006 Assessor's Parcel Number 040-201-024, no buildings or structures exceeding six feet in height shall be permitted within 150 feet of the east property line.
- c. **Building coverage limitation.** Building ground floor coverage is limited to 20 percent of the site.
- d. **Landscaping/screening.** Upon application for a land use permit or construction permit, a landscaping plan shall be submitted and shall meet the requirements of Chapter 22.16 of the County Land Use Ordinance. The landscaping plan shall include a buffer on the west, south and east sides that is deep enough for staggered in-depth plantings of shrubs and trees (evergreen with incidental deciduous species) with a minimum 15-foot height at plant maturity, to achieve a solid, natural-appearing screen from most angles of viewing. A minimum six-foot tall solid fence or screening wall (consistent with the Templeton Community Design Plan) shall be constructed at the interior boundary of the buffer area, and landscaping shall be installed in between the property lines and the fence or wall.
- e. **Noise.** Upon application for a land use or construction permit, a noise mitigation plan shall be submitted. The plan shall include measures such as buffers, solid fencing, vegetated earthen berms, and site design that would ensure that generation of noise would not significantly affect existing or future residential uses. Orientation of buildings shall be away from Residential Rural properties.
- f. **Exterior Lighting.** Exterior lighting shall be located and designed to direct light downward and to the interior of the site and to avoid the light source being visible from other properties, streets and Highway 101, by such means as shielding and full-cut off lights. A photometric analysis shall be provided with the submittal of any land use permit or change in lighting to determine the extent of off-site lighting and glare.
- g. **Hours of operation.** With any land use permit application, hours of operation shall be addressed to minimize night-time hours of operation including truck deliveries and unloading, to avoid noise impacts onto adjacent residential properties.

- h. **Permit Requirement.** A Conditional Use Permit application shall be submitted within 60 days of June 14, 2007, the effective date of the ordinance.

[Amended 1996, Ord. 2776; 2007, Ord. 3125]

- 4. **Theater Drive.** The following standards apply to a property on the west side of the Theater Drive / Highway 101 interchange, as shown in Figure 104-26.
 - a. **Limitation on use.** Land uses shall be limited to agricultural processing, agricultural accessory structures, caretaker residence, crop production and grazing, incidental offices, accessory storage, outdoor storage yards, and vehicle and freight terminals.

Figure 104-26: CS - Theatre Drive



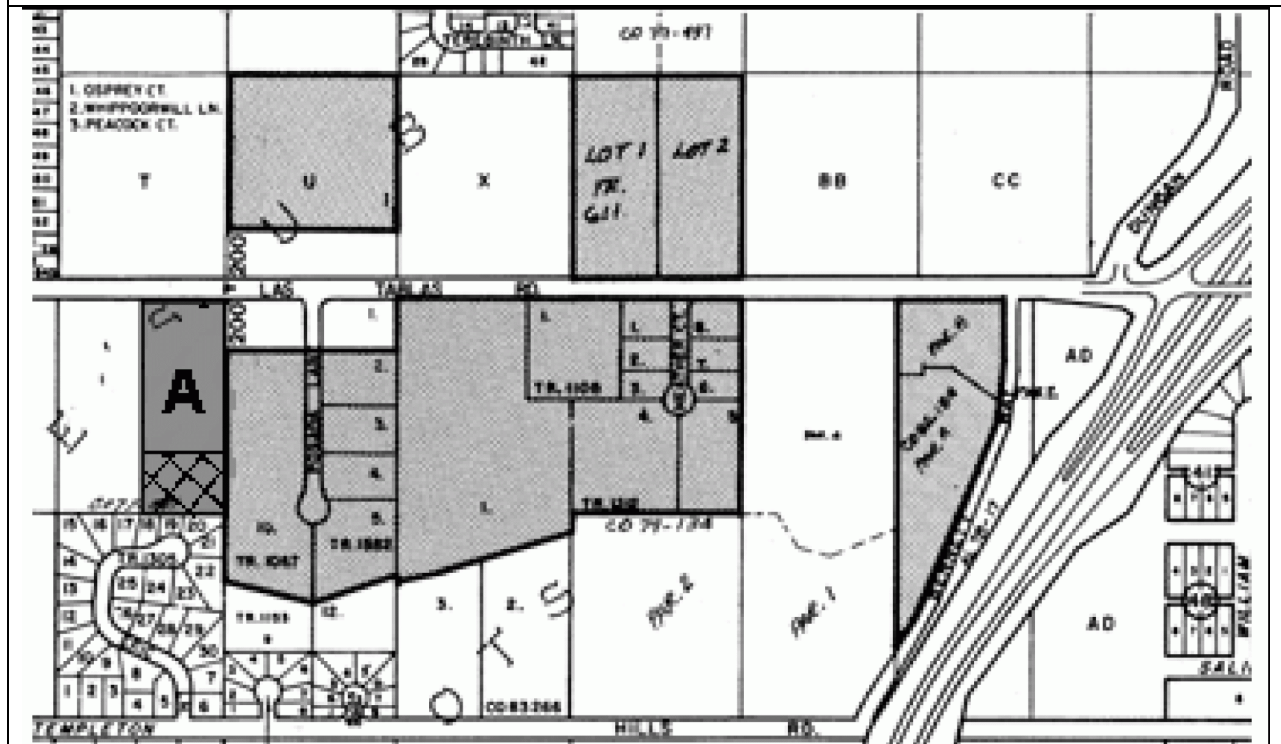
- b. **Screening.** Any structures, parking areas and access roads visible from Highway 101, Main Street or Theater Drive shall be screened with landscaping capable of providing 80 percent screening within five years of installation.
- c. **Noise.** A noise mitigation plan shall be submitted with application for land use permit or land division. The plan shall include measures such as buffers, solid feeding, vegetated earthen berms and site design that would ensure that generation of noise would not significantly affect future residential uses on adjacent sites.

[Added 2006, Ord. 3096]

E. Office and Professional (OP). The following standards apply within the Office and Professional category.

- 1. **Fence and wall requirement.** This standard applies to solid fences and walls that are proposed along public roads and will be visible from the public road. Fences and walls shall be constructed of durable and high quality materials including but not limited to: masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns. Solid wood fences are not allowed unless they are continuously screened with landscaping and maintained. Refer to the Templeton Community Design Plan, page V-16 through V-18, for criteria on fence and wall materials and detailing.
- 2. **Las Tablas Road - Residential uses.** Multi-family dwellings are encouraged in the Office and Professional land use category on Las Tablas Road west of Highway 101, as shown in Figure 104-27, as part of mixed use projects and may be allowed as an incidental use, or as a principal use on no more than 50 percent of a site, through Conditional Use Permit approval. Residential units on property "A" as shown in Figure 104-27, may only be located in the crosshatched area and may be structurally detached from the commercial or office use on the site. Multi-family dwellings that would be affordable to employees of proposed projects should be encouraged in all discretionary land use permits for office and professional projects.

Figure 104-27: OP - Las Tablas Road - Templeton



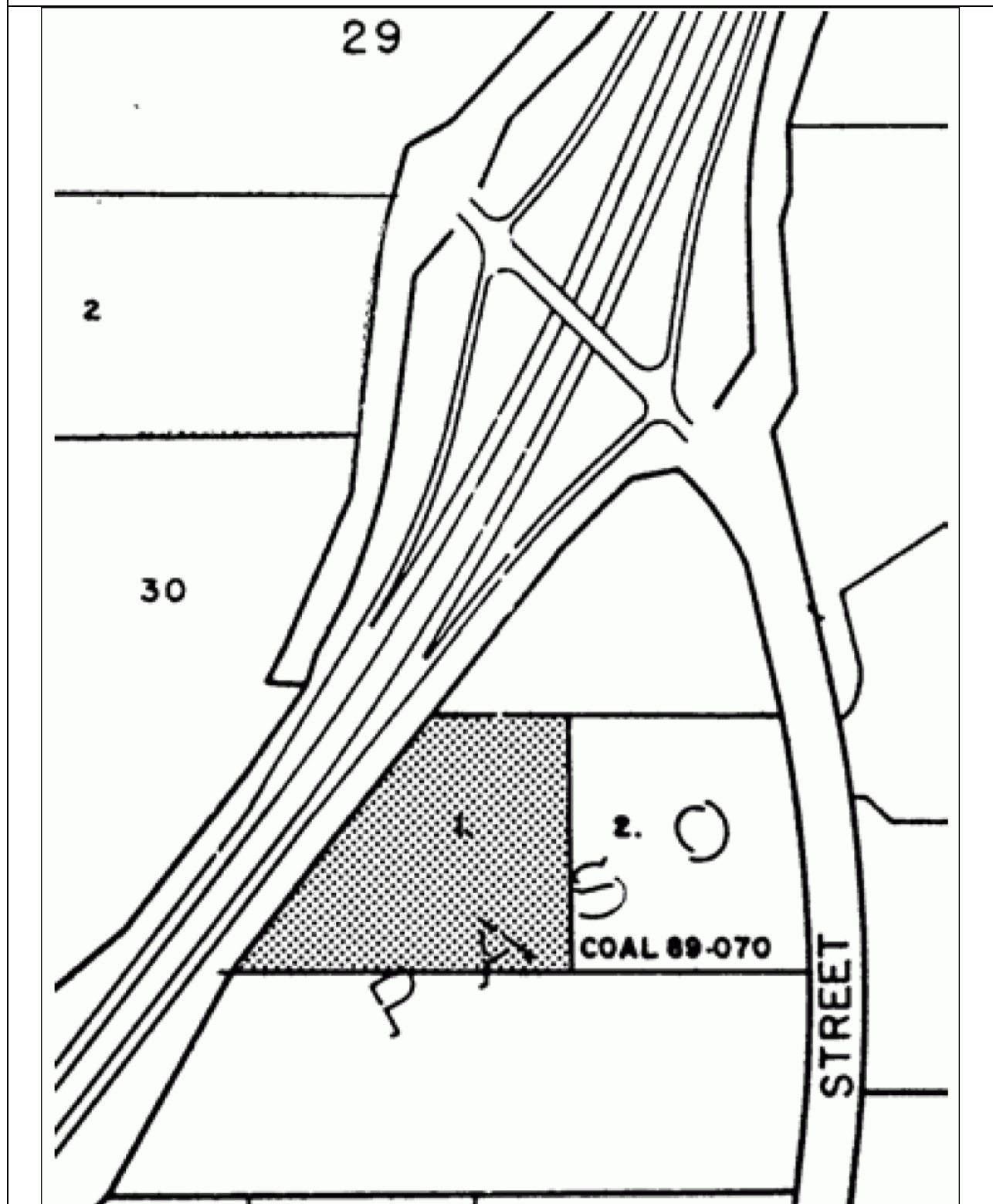
F. Industrial (IND). The following standards apply within the Industrial category.

1. **Permit requirement.** Minor Use Permit approval is required for new industrial construction or subdivision unless a Conditional Use Permit is otherwise required by this Title. Plan proposals shall include design provisions for internal orientation and circulation; substantial fencing and landscape screening to buffer adjoining residential areas; provide an amenable view from fronting streets; and provisions for mitigating noxious effects, appropriate services and adequate circulation.
2. **Buffer requirement.** Storage yards and other Industrial outdoor use areas shall be set back 100 feet from adjacent residential uses and land use categories.
3. **Limitation on use - Railroad property.** Allowable land uses are limited to: offices; accessory storage; storage yards; vehicle and freight terminals; and warehousing.

G. Public Facilities (PF). The following standards apply within the Public Facilities land use category.

1. **North County Regional Center site.** The following standards apply only to the County property at the No. Main Street and Highway 101 interchange as shown in Figure 104-28.

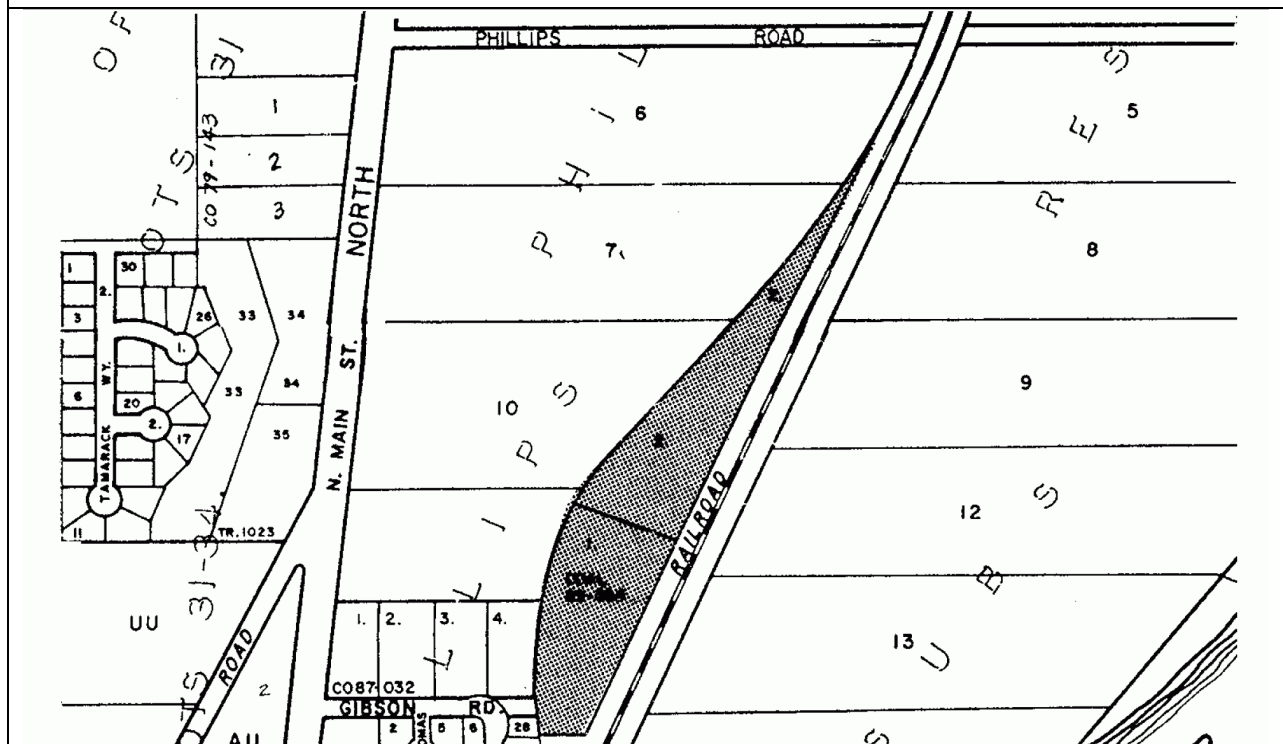
Figure 104-28: PF - North County Regional Center - Templeton



- a. **Setback requirement.** A 25-foot landscaped setback is required from the Highway 101 right-of-way for buffering and screening views from Highway 101.
 - b. **Architecture.** Buildings should exemplify the historic character of Templeton.
2. **West side of the railroad between Gibson and Phillips Roads.** The following standards apply only to the property west of the railroad between Gibson and Phillips Roads shown in Figure 104-29, in addition to Subsection G.1.
- a. **Limitation on use.** Land uses shall be limited to libraries and museums, outdoor sports and recreation, and public assembly and entertainment, in compliance with the land use permit requirements of Section 22.06.030.
 - b. **Access limitations.** To minimize impacts to the existing residences on Gibson Road until a “through connection” is established, land uses shall be limited to libraries and museums, and outdoor sports and recreation. The project shall be limited to the capacity for traffic on Gibson Street at level-of-service (LOS) C, reserving capacity for other development affecting the street at build-out.
 - c. **Operational standards.** To minimize the impacts of noise, water use, and night time illumination, proposed development shall comply with the requirements of the Noise Element of the General Plan, and the water-efficient landscape standards in Chapter 22.16.
 - d. **Hours of operation.** All loud outdoor activity shall be limited to the hours between 7 a.m., and 10 p.m.

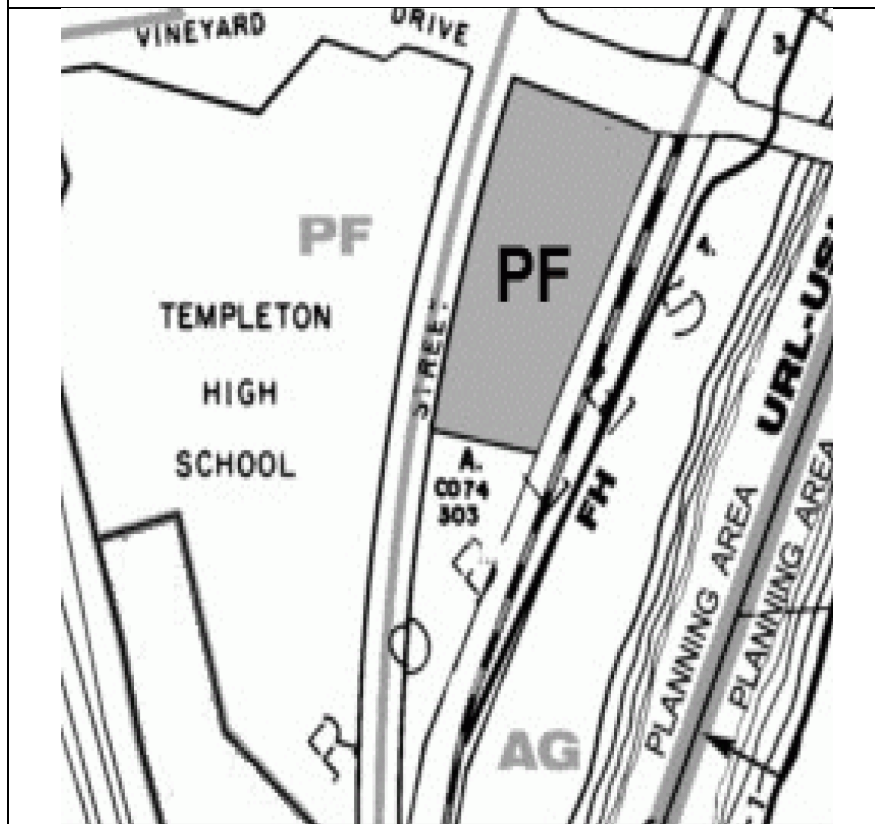
[Amended 1999, Ord. 2865]

Figure 104-29: PF - West Side of Railroad - Templeton



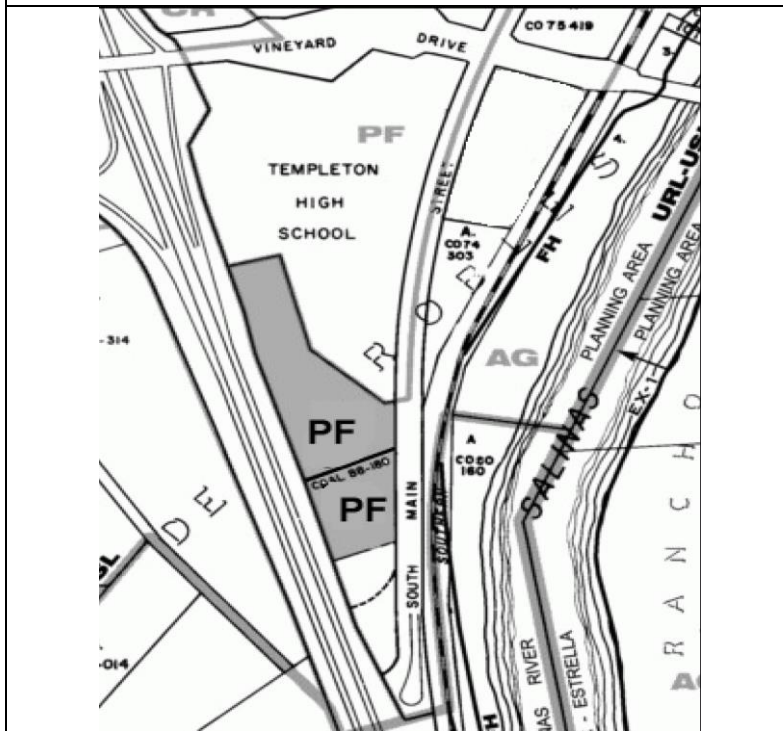
3. **South Main Street and Templeton Road site.** The following standards apply only to the property located at the corner of South Main Street and Templeton Road as shown in Figure 104-30.
 - a. **Trail Corridor.** New development shall be accompanied by development of a 20-foot wide recreational trail corridor in the vicinity of either South Main Street or the Southern Pacific Railroad right-of-way. The location and development of the trail corridor shall be at the discretion of County General Services-Parks Division.
 - b. **Limitation on access.** Direct access onto Templeton Road shall be prohibited
 - c. **Limitation on use.** Land uses shall be limited to indoor amusement and recreation facilities, libraries and museums, outdoor athletic facilities, public parks and play-grounds, schools, sports assembly, temporary events, health care services, social service organizations, caretaker quarters, offices, public assembly and entertainment facilities, and transit stations and terminals, in compliance with the land use permit requirements of Section 22.06.030.
 - d. **Design Standards.** Development shall be in conformance with Templeton Community Design Plan. Prohibited exterior building materials include metal siding, unfinished or painted concrete block, and highly reflective surfaces.

Figure 104-30: PF South Main St. and Templeton Rd



4. **South Main Street site.** The following standards apply only to the property located between South Main Street and Highway 101 as shown in Figure 104-31.
 - a. **Setback requirement.** A minimum 25-foot landscaped setback is required from Highway 101 right-of-way for buffering and screening views from Highway 101.
 - b. **Limitation on use.** Land uses shall be limited to indoor amusement and recreation facilities, libraries and museums, outdoor athletic facilities, public parks and playgrounds, schools, sports assembly, temporary events, health care services, social service organizations, caretaker quarters, offices, public assembly and entertainment facilities and transit stations and terminals, in compliance with the land use permit requirements of Section 22.06.030.
 - c. **Design Standards.** Development shall be in conformance with Templeton Community Design Plan. Prohibited exterior building materials include metal siding, unfinished or painted concrete block, and highly reflective surfaces.

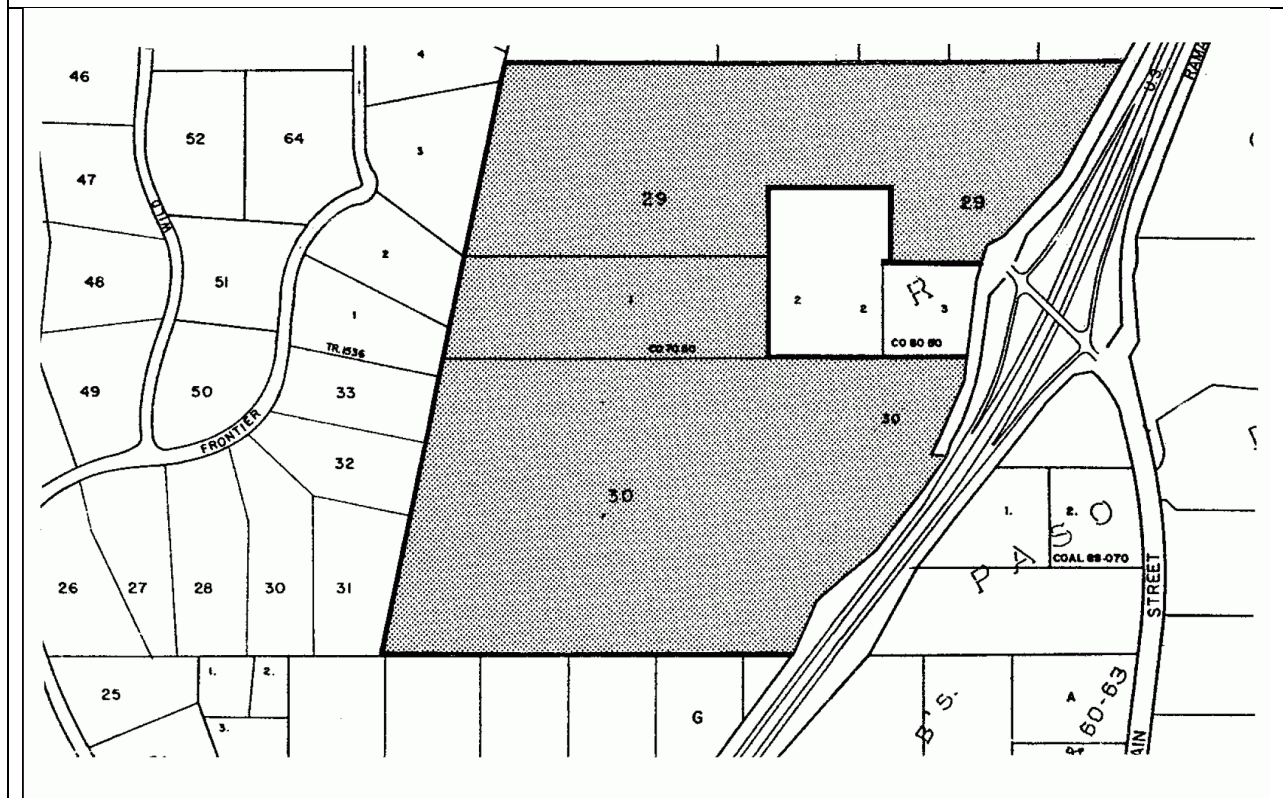
Figure 104-31: PF South Main Street



H. Residential Rural (RR) - Theatre Drive and North Main Street. The following Residential Rural standards apply only to the properties shown in Figure 104-32.

1. **Density limitation.** The maximum residential density shall be as allowed by the Agriculture land use category. The maximum residential density may be increased to that allowed by the Residential Rural category by purchase of all additional development credits as part of a transfer of development credits program.
2. **Cluster subdivision requirement.** New land divisions proposing more than two parcels shall be clustered in compliance with Section 22.22.140, or utilize other techniques that achieve the same result as clustering. Open space parcels shall be located on the visible portions of sites as viewed from Highway 101 and where agricultural operations can be continued, as well as other applicable locations. Refer to the cluster development guidelines on page V-10 in the Templeton Community Design Plan.

Figure 104-32: RR - Theatre Drive and North Main Street



I. Residential Suburban (RS). The following standards apply within the Residential Suburban land use category.

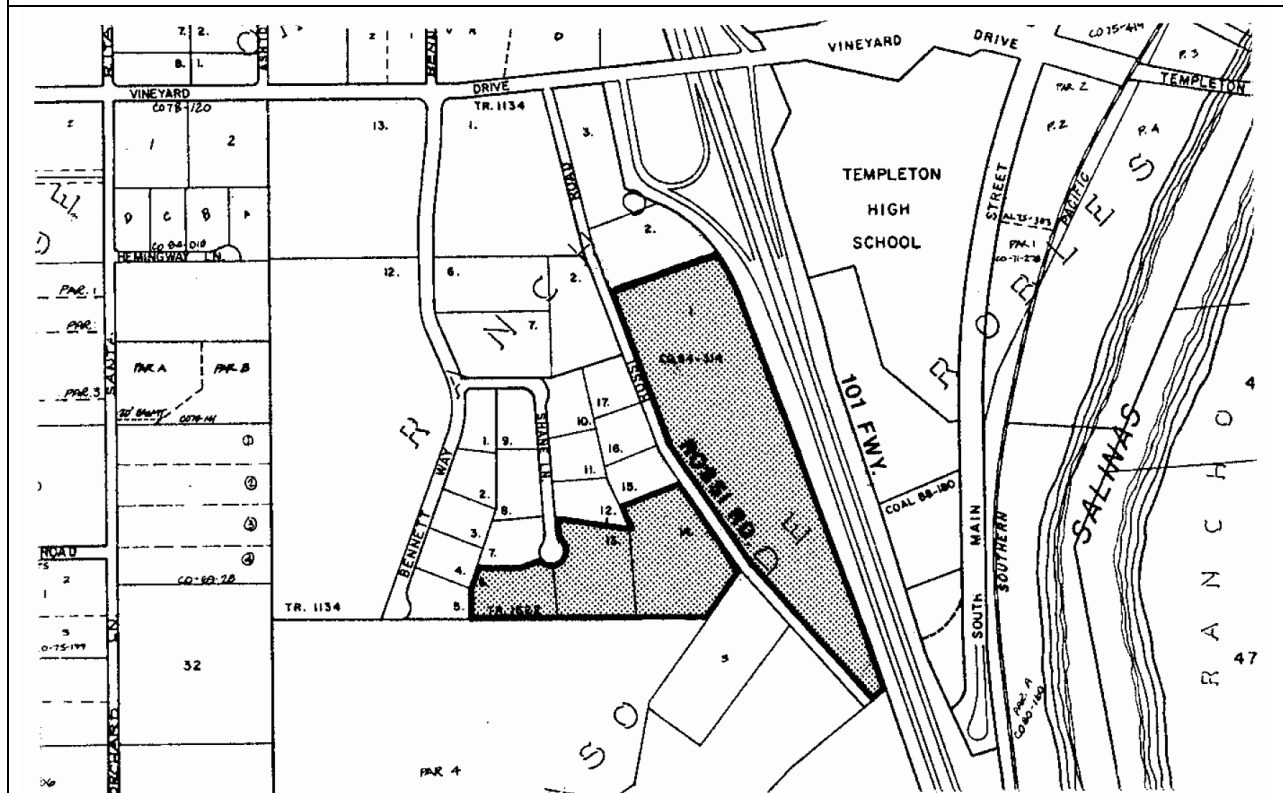
1. **Fence and wall requirement.** This standard applies to solid fences and walls that are proposed along public roads and will be visible from the public road. Fences and walls shall be constructed of durable and high quality materials including but not limited to: masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns. Solid wood fences are not allowed unless they are continuously screened with landscaping and maintained. Refer to the Templeton Community Design Plan, page V-16 through V-18, for criteria on fence and wall materials and detailing.

[Amended 2003, Ord. 3010]

2. **Mobile home parks and mobile home subdivisions - Density limitation.** Mobile home parks and subdivisions are limited to a density no greater than one unit and residential parcel per acre.
3. **Limitation on siting.** Development on APN 39-381-047 and 048, and 39-411-021, 028 and 029, shown in Figure 104-33, shall be set back a minimum of 100 feet northerly of

the 800-foot contour elevation traversing the site. Development shall be designed to maximize visual rural separation between Templeton and Atascadero.

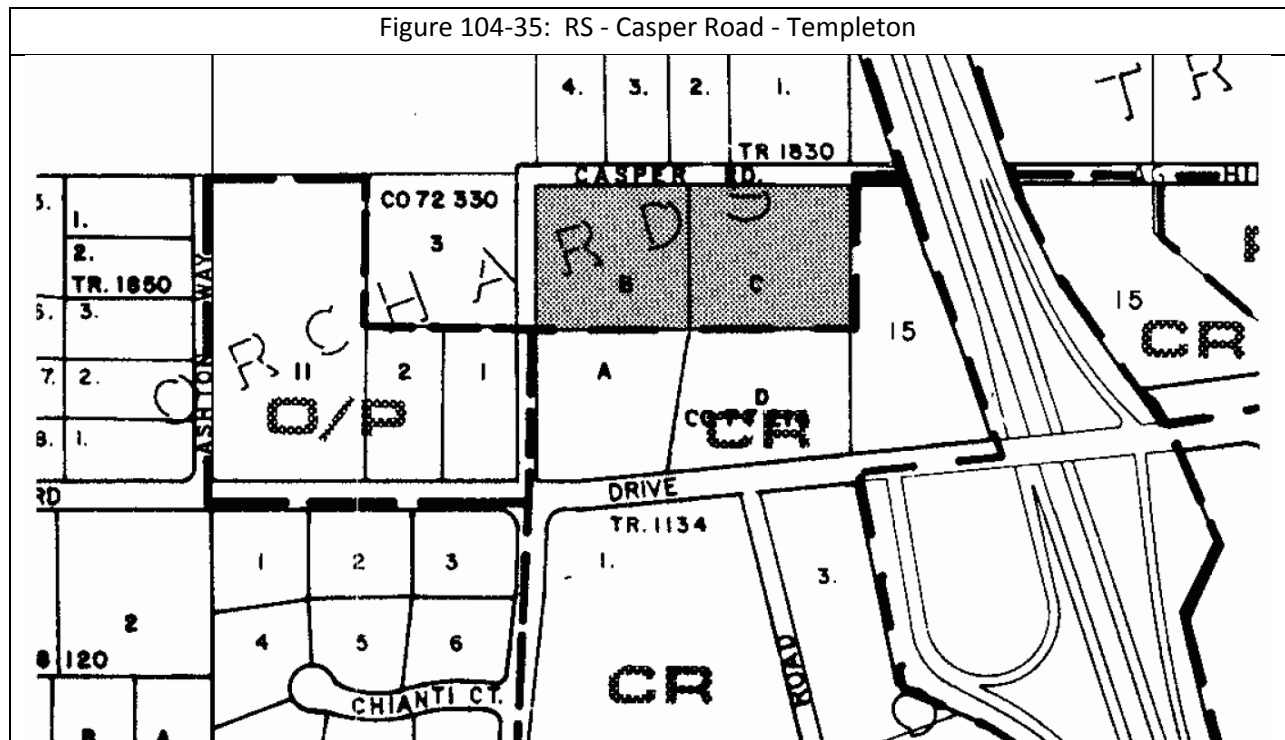
Figure 104-33: RS - Limitation on Siting - Templeton



4. **South of Vineyard Drive.** The following standard applies only to land south of Vineyard Drive, as shown in Figure 104-34.

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- iii. Residential development shall be similar and compatible with Tract 2324 including setbacks, architectural design and colors.
 - iv. CC&Rs shall be established that are similar and compatible with the CC&Rs for Tract 2324 or the site shall be incorporated into the existing Homeowners Association for Tract 2324.
5. **Casper Road - Noise standards.** To minimize freeway noise impacts, new development within the RS category along Casper Road (Figure 104-35) shall comply with the Noise Element of the General Plan and Section 22.10.120. When an acoustical report is required the report shall, at a minimum, contain existing and build-out noise levels. The report shall also identify mitigation measures to reduce noise to acceptable interior and exterior levels in compliance with the Noise Element and the least noise-sensitive areas of the property for habitable development.



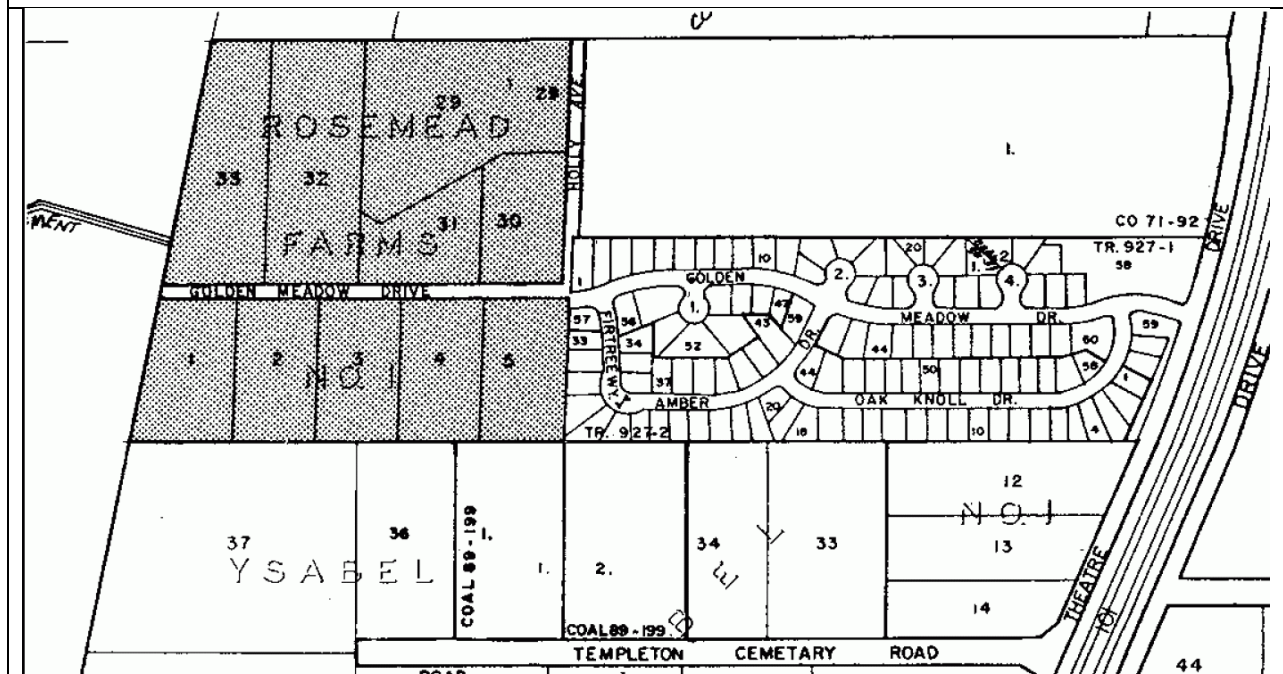
- J. **Residential Single-Family (RSF).** The following standards apply within the Residential Single-Family category.
- 1. **Land division limitation.** Single family lots created through new land divisions shall be at least 7,500 square feet. Affordable housing projects may have smaller parcels in compliance with Chapter 22.22. See the Templeton Community Design Plan for other guidelines on subdivisions.

2. **Design standards - Zoning Clearances for single-family residences.** New single-family residential development shall comply with the following standards unless modified through a Minor Use Permit or Conditional Use Permit:
- a. **Driveway frontage.** Driveway width is limited to a maximum 16 feet, except for flag lots, cul-de-sac lots and lots with less than 40 feet frontage, or where a wider driveway is needed for County Fire Department requirements.
 - b. **Garage location.** Garages and carports shall be located five feet further back from the street than the front of residences, except where limited site area, width and/or access make the required setback infeasible, an adjustment may be approved in compliance with Section 22.70.030.
- Refer to the Templeton Community Design Plan, pages V-5 and 6, for more guidance on driveways and garage location.
- c. **Fence and wall requirement.** This standard applies to solid fences and walls that are proposed along public roads and will be visible from the public road. Fences and walls shall be constructed of durable and high quality materials including but not limited to: masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns. Solid wood fences are not allowed unless they are continuously screened with landscaping and maintained. Refer to the Templeton Community Design Plan, page V-16 through V-18, for criteria on fence and wall materials and detailing.

[Amended 2003, Ord. 3010]

3. **Golden Meadow Drive.** The maximum number of parcels allowed in the Residential Single-Family land use category located north and south of Golden Meadow Drive (Lots 1-5 and 29-33 of Rosemead Farms No. 1) as shown in Figure 104-36, shall be calculated on the basis of one lot per 20,000 square feet of gross site area.

Figure 104-36: RSF - Golden Meadow Drive - Templeton



K. **Residential Multi-Family (RMF).** The following standards apply within the Residential Multi-Family category.

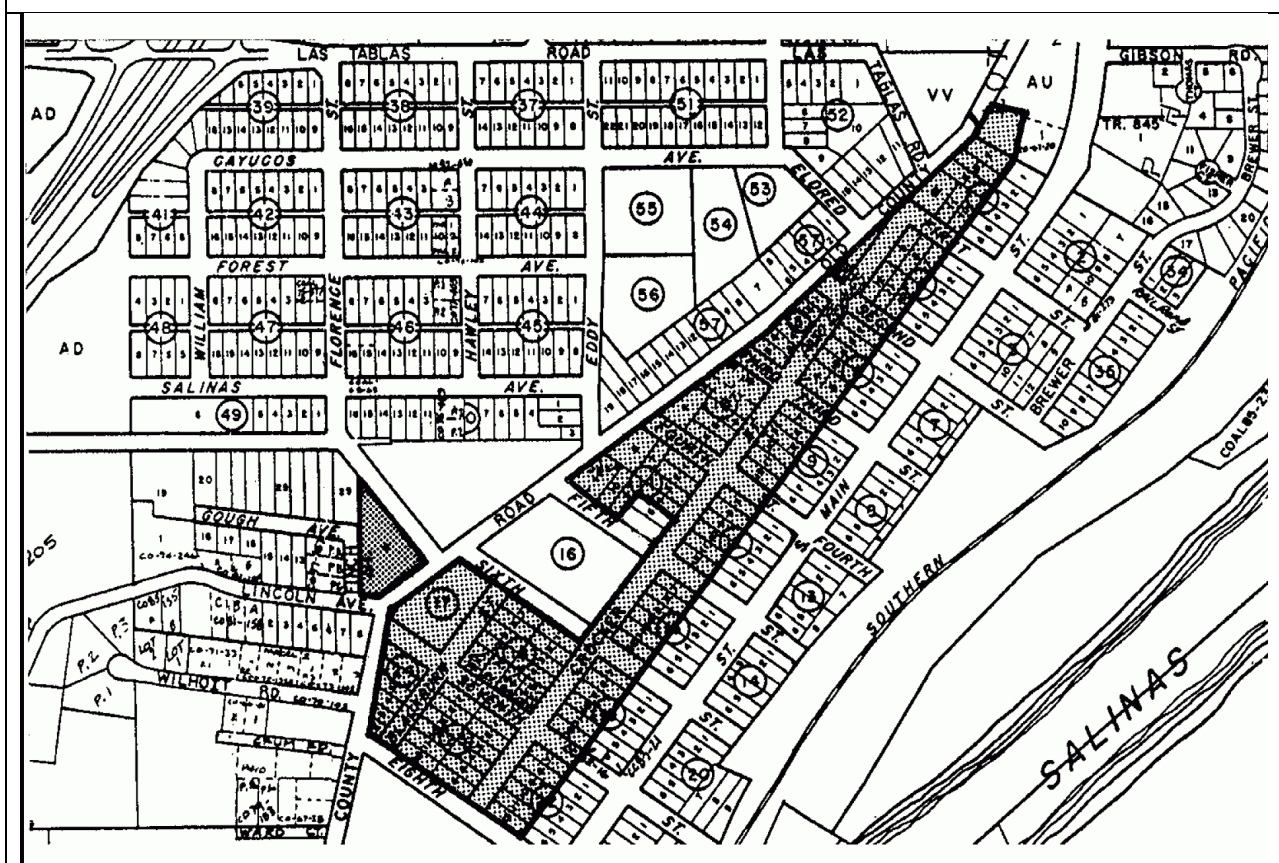
1. **Density limitation.** Allowable density is limited to a maximum of 26 dwelling units per acre, with maximum floor area and minimum open area to be in compliance with the medium density criteria in Chapter 22.22.

An exception is provided that the area shown in Figure 104-37 is limited to a maximum of 12 dwellings per acre, with maximum floor area and minimum open area to be in compliance with the low density criteria in Chapter 22.22.

2. **Design standards - Zoning Clearances for four or fewer multi-family residential and accessory buildings.** Multi-family residential structures and accessory buildings that are required by Section 22.06.030 (Allowable Land Uses and Permit Requirements) to have Zoning Clearance approval shall comply with the following design standards. Applicants who wish to design a project differently than allowed by these standards may apply for a Minor Use Permit to be reviewed for conformance with the Templeton Community Design Plan. An exception or modification to these standards may be granted through approval of a Minor Use Permit.

- a. **Driveway width.** Driveway width is limited to a maximum 16 feet, except for flag lots and cul-de-sac lots, or where a wider driveway is needed for County Fire Department requirements. Refer to the Templeton Community Design Plan, pages V-5 and 6, for more guidance on driveways.

Figure 104-37: RMF - Low Density Multi-Family Area - Templeton



- b. **Garage location.** Garages and carports shall be located further back from the street than the front of residences, except where limited site area, width and/or access make the required setback infeasible, an adjustment may be approved as authorized in Chapter 22.70.030. Refer to the Templeton Community Design Plan, pages V-5 and 6, for more guidance on garage location.
- c. **Street tree requirement.** One street tree is required at least every 50 feet adjacent to a street, within 15 feet of the street right-of-way. Street trees shall be from the street tree list in the Templeton Community Design Plan, page V-9.
- d. **Fence and wall requirement.** This standard applies to solid fences and walls that are proposed along public roads and will be visible from the public road. Fences and walls shall be constructed of durable and high quality materials including but not limited to: masonry, river cobblestone, stucco or a combination of wood with stone or stucco columns. Solid wood fences are not allowed unless they are continuously screened with landscaping and maintained. Refer to the Templeton Community Design Plan, page V-16 through V-18, for criteria on fence and wall materials and detailing.

- e. **Wall, roof and balcony articulation.** Building walls and balconies shall be inset or notched at least once for every 30 linear feet. Insets shall be at least one foot and shall be extended to the roof cornice or penetrate the roof plane. Roofs shall be pitched and shall not be mansard style. Refer to the Templeton Community Design Plan, page V-14, for guidance on massing of buildings.

Exterior stairs, balconies and porches shall be covered by the roof plane and form part of the building articulation. Refer to the residential architectural guidelines starting on page VI-18 in the Templeton Community Design Plan.

- f. **Private patios and balconies within multi-family projects.** Private outdoor use areas shall be provided for individual dwelling units. Private balconies shall be provided with a depth of at least six feet and a width of at least 10 feet. Private ground level patios shall be provided with an area of at least 150 square feet. Refer to pages VI-20 and 24 of the Templeton Community Design Plan.

- g. **Building materials.** Wall surface materials shall be wood or wood-appearing materials, stucco, brick, or rock. Prohibited wall materials include metal siding, unfinished or painted concrete block or brick, metal window awnings, and reflective glass. Refer to page VI-21 of the Templeton Community Design Plan for more discussion concerning materials.

- h. **Building trim and color.** Cornices and moldings at building corners, eaves, baseboard lines, and window borders shall be provided except for windows that are not flush with a wall surface. Refer to the residential architectural guidelines starting on page VI-18 in the Templeton Community Design Plan.

Building color shall be equal to or greater than 4 in value and no brighter than 6 in chroma on the Munsell color scale, on file at the Department. Trim colors shall be complementary to wall colors. Refer to pages VI-16 of the Templeton Community Design Plan for more information.

- i. **Garage doors.** Garage doors shall be inset into the wall plane and not be flush with it. See page VI-25 of the Templeton Community Design Plan.
- j. **Chimneys.** Where used in exterior walls, chimneys shall be projected at least 8 inches from the wall plane. See page VI-25 of the Templeton Community Design Plan for more information.

[Amended 2003, Ord. 3010]

22.104.100 – Whitley Gardens Village Standards

The following standards apply within the Whitley Gardens village reserve line to the land use categories or specific areas listed, in addition to the requirements of Section 22.94.025 (Paso Robles Groundwater Basin).

A. Residential Suburban (RS). The following standards apply within the Residential Suburban land use category.

1. **Limitation on land division.** Further division of lots existing on the effective date of the Land Use Element are allowed only after the community water system is brought into conformity with County Health Department standards.
2. **Parcel size.** The minimum allowable parcel size for new land divisions after completion of upgrading of the Whitley Gardens community water system is 2½ acres unless a larger size would otherwise be required by Chapter 22.22.

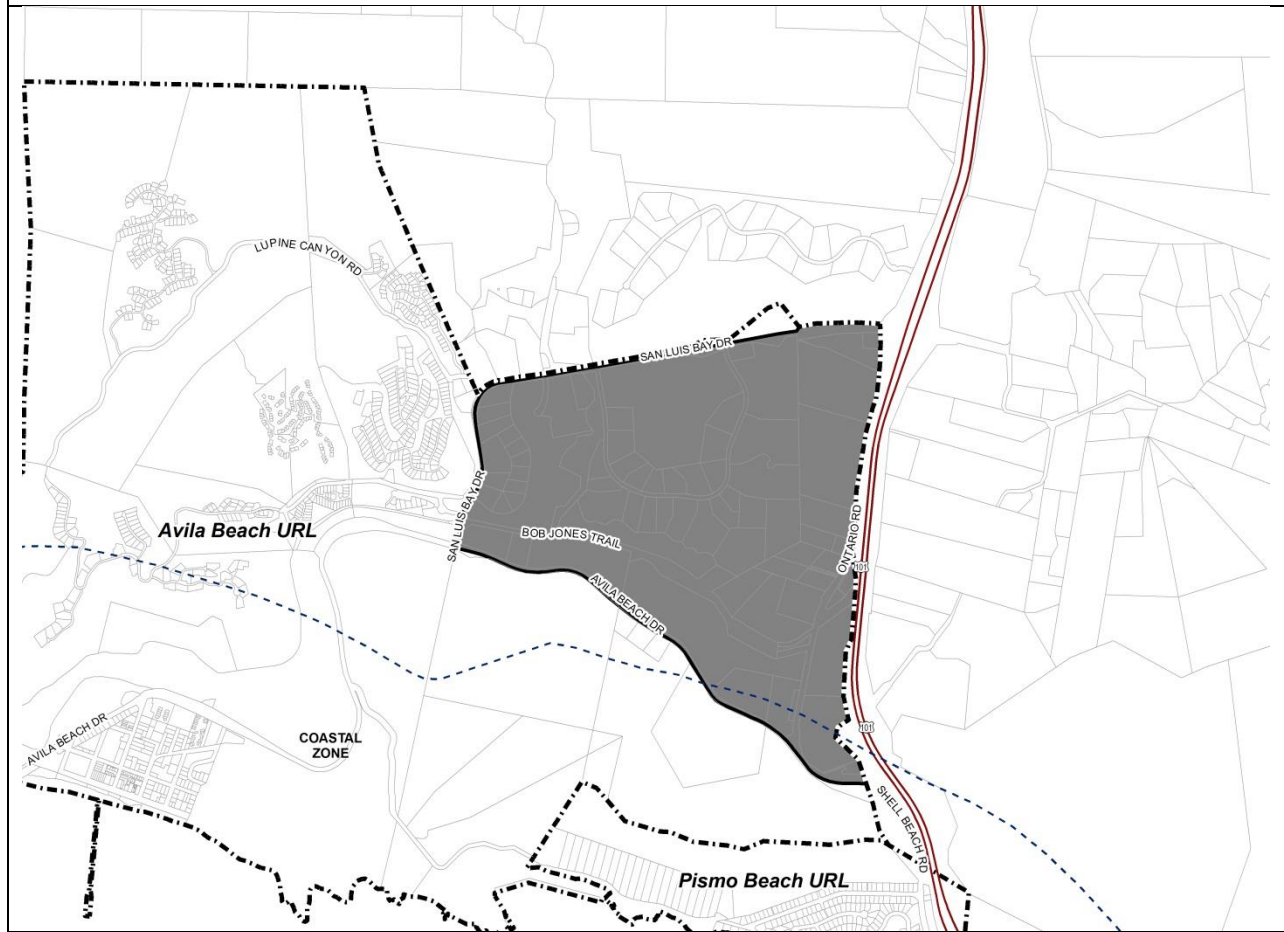
Chapter 22.106 – San Luis Obispo Area Communities and Villages

22.106.010 – Avila Beach Community Standards

The following standards apply within the Avila Beach urban reserve line to the land use categories or specific areas listed.

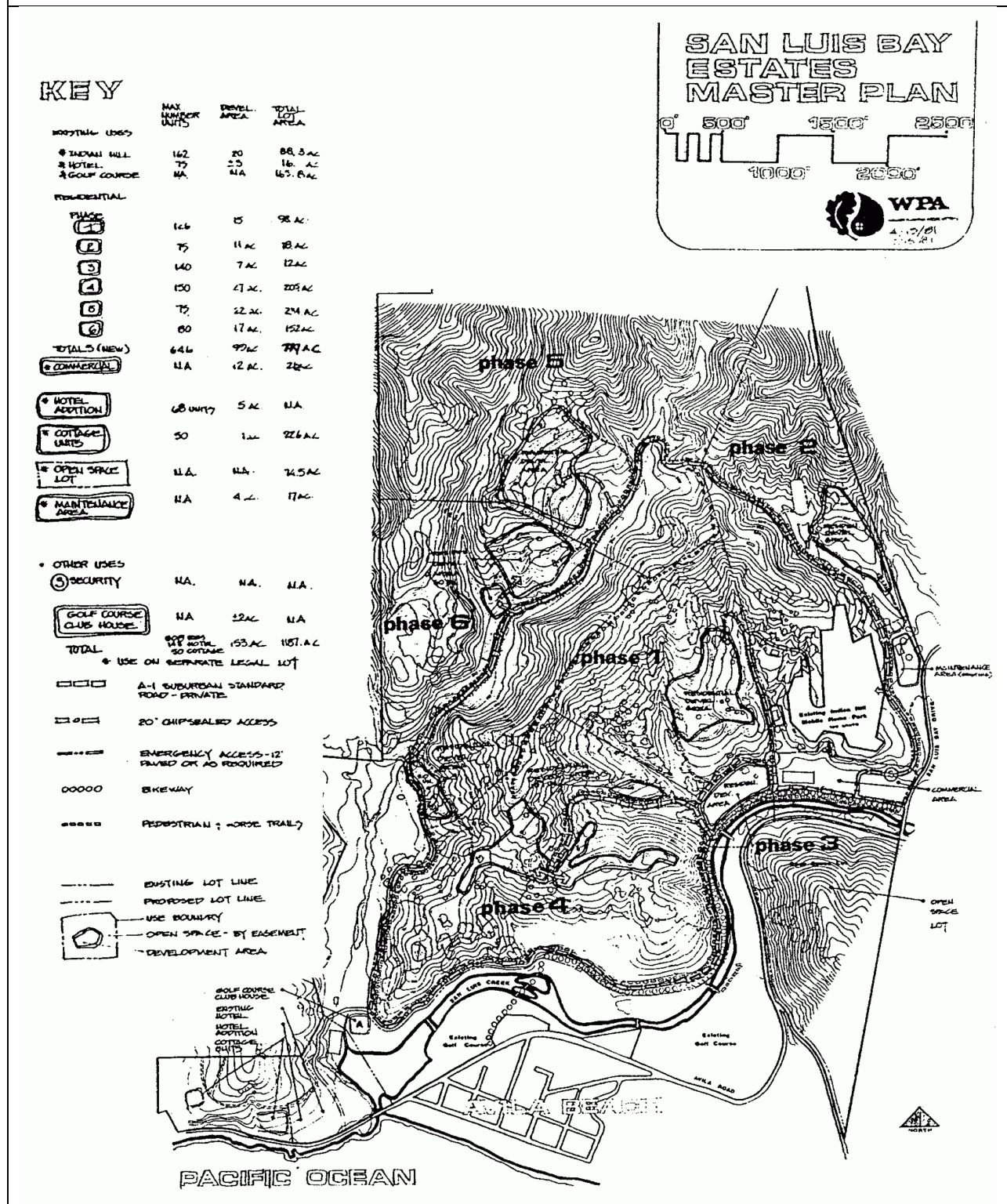
- A. Community-wide standards.** The following standards apply within Avila Beach, in all land use categories, as applicable.
1. **Avila Beach Drive and San Luis Bay Drive Level of Service.** The level of service (LOS) for Avila Beach Drive and San Luis Bay Drive shall be based on the average hourly weekday two-way 3:00 p.m. to 6:00 p.m. traffic counts to be conducted during the second week in May of each year.
 2. **Avila Valley.** The Avila Valley area is defined in Figure 106-1.

Figure 106-1: Avila Valley Area (defined by Figure 106-2)



3. **San Luis Bay Estates.** The San Luis Bay Estates Area is defined in Figure 106-2.

Figure 106-2: San Luis Bay Estates Master Use Permit



B. Rural Lands (RL). The following standards apply within the Avila Valley Rural Lands land use category.

1. **Permit requirement.** Conditional Use Permit approval is required for all uses adjacent to Avila Road.
2. **Open space preservation.** New development proposals shall include provisions for guaranteeing preservation of the steep wooded slopes south of Avila Road extending to Ontario Ridge. Guarantees of open space preservation may be in the form of agreements, easements, contracts or other appropriate instrument, provided that such guarantee is not to grant public access unless desired by the property owner.

C. Commercial Retail (CR). The following standards apply within the Commercial Retail land use category.

1. **Avila Valley.** The following standards apply only to Avila Valley (see Figure 106-1), to the specific areas listed.
 - a. **Limitation on use.** Land uses shall be limited to highway and tourist oriented uses.
 - b. **Permit requirement.** Conditional Use Permit approval is required for all uses.
 - c. **Access - Commercial site at San Luis Bay Drive and Highway 101.** Primary access to the commercial site shall be from San Luis Bay Drive.
2. **San Luis Bay Estates.** The following standards apply only to the San Luis Bay Estates (see Figure 106-2), to the specific areas listed.
 - a. **Limitation on use.** Land uses in the commercial village shall be limited to bars and night clubs, convenience and liquor stores, financial services, general retail, grocery stores, health care services, offices, personal services, public assembly and entertainment, and restaurants.
 - b. **Permit requirement.** Conditional Use Permit approval is required for the commercial "village."
 - c. **Location criteria - Commercial uses.** Commercial uses shall be located north of the main access road, west of San Luis Bay Drive.

[Amended 1987, Ord. 2321; 1989, Ord. 2399]

D. Open Space (OS). The following standards apply within the Open Space land use category:

1. **Density calculations.** Within the San Luis Bay Estates Open Space land use category, the parcel lying southerly of Avila Road shall be included in overall project density calculations to determine the required open space acreage for the entire project under the cluster division provisions of this Title.
2. **Riparian vegetation.** Within the Open Space land use category, riparian vegetation shall be retained along the creek.

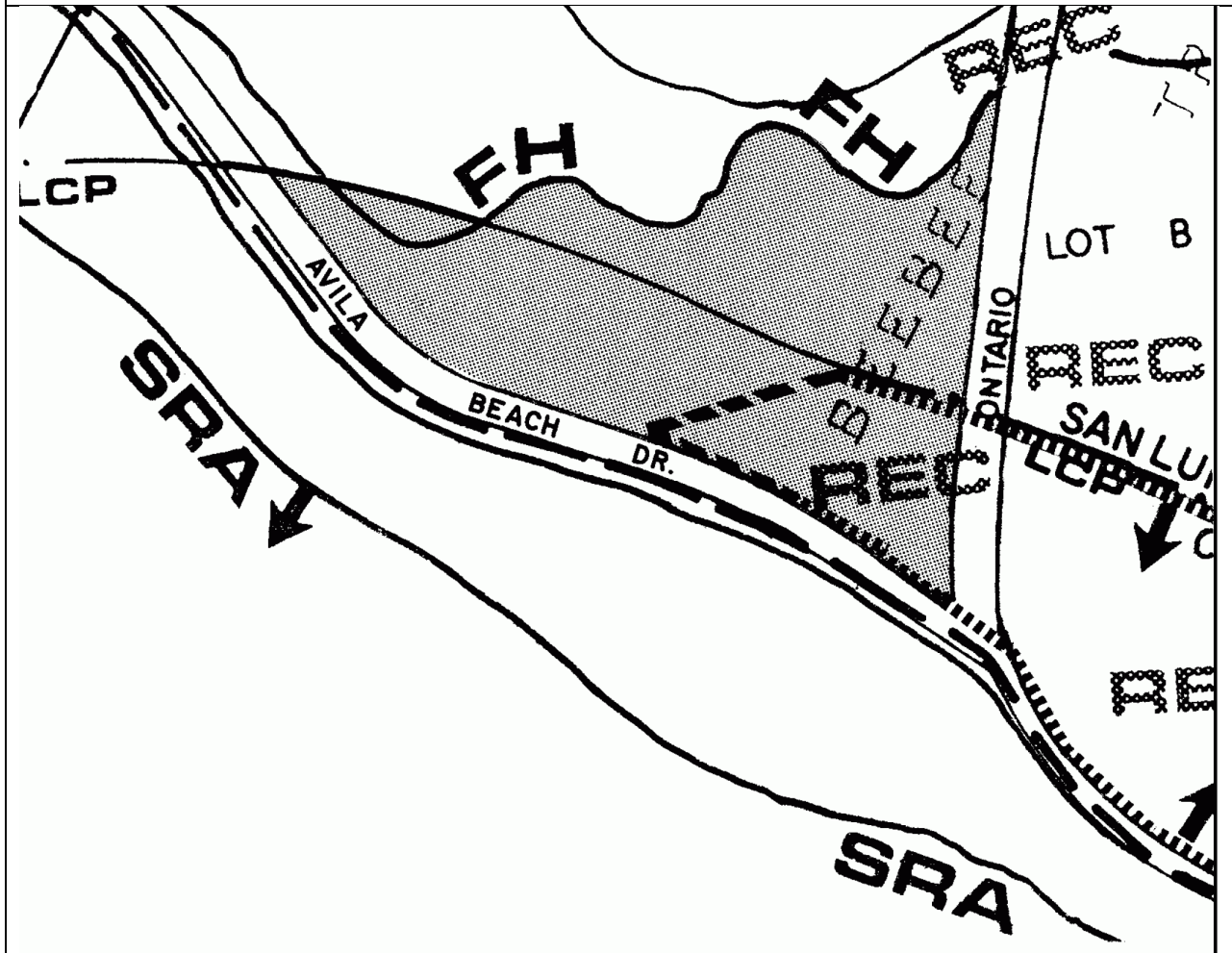
E. Recreation (REC). The following standards apply within the Recreation land use category.

1. **Avila Valley.** The following standards apply only to Avila Valley (see Figure 106-1), to the specific areas listed.
 - a. **Pacific Coast Railroad right-of-way.** Allowable uses are limited to the proposed railroad line, bicycle and hiking trails. Construction of the proposed railroad shall be authorized by Conditional Use Permit approval.
 - b. **RV park expansion.** The existing camper park south of San Luis Obispo Creek is not to be expanded into the creek floodplain.
 - c. **Sycamore Hot Springs - Development standards.** Continuing expansion of existing facilities shall occur in accordance with the approved Conditional Use Permit. The area north of Avila Road may be developed with low intensity recreation and open space uses (see Subsections E.1d(1) through d(3)).
 - d. **Avila Road.** The following standards apply to the area bounded by San Luis Obispo Creek on the north, San Luis Bay Drive on the west, Ontario Road on the east and Avila Beach Drive on the south, except for the area shown in Figure 106-3.
 - (1) **Limitation on use.** Land uses shall be limited to those uses identified by by Section 22.06.030 as being allowable, permitted, or conditional uses in the Open Space land use category, with the addition of the uses included under the definition of outdoor sports and recreation.
 - (2) **Permit requirements.** Conditional Use Permit approval is required for all uses.
 - (3) **Flood protection.** Structural uses shall be protected from flooding or clustered on contiguous parcels under the same ownership.

[Amended 1981, Ord. 2075; 1989, Ord. 2399; 1993, Ord. 2646]

- e. **Intersection of Ontario Road and Avila Beach Drive.** The following standards apply to the area at the intersection of Ontario Road and Avila Beach Drive shown in Figure 106-3.

Figure 106-3: Intersection of Ontario Road and Avila Beach Drive



- (1) **Limitation on use.** Land uses shall be limited to those identified by Section 22.06.030 as allowable, permitted, or conditional uses in the Open Space land use category, with the addition of: libraries and museums, outdoor sports and recreation, restaurants, grocery stores, and roadside stands.
- (2) **Permit requirements.** Minor Use Permit approval is required for all new uses proposed in existing structures. Conditional Use Permit approval is required for all new uses that propose any additional structures. Land use permit applications shall include a review of

potential traffic impacts to Avila Beach Drive and the intersection of Avila Beach Drive and Ontario Road.

- (3) **Site design criteria.** Commercial development (existing and proposed structures) shall be limited to a total of 6,000 square feet. All development shall be located at least 100 feet from the upland extent of riparian vegetation. All structures shall be located outside of the Flood Hazard Combining Designation

[Amended 1993, Ord. 2634]

- f. **Tract 699 - Offer of dedication.** Lot 31 of Tract 699 along San Miguelito Creek has been offered for dedication to the County for future recreational and open space purposes. Until such time as the offer of dedication is accepted by the County, private use of this area shall not hinder or preclude potential future public recreational and open space use and shall not disturb riparian vegetation [Amended 1988, Ord.2353].

2. **San Luis Bay Estates.** The following standards apply only to the San Luis Bay Estates (see Figure 106-2), to the specific areas listed.

- a. **Limitation on use.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: accessory storage; bars and night clubs; caretaker residence; convenience and liquor stores; grocery stores; hotels and motels; indoor amusements and recreation; outdoor sports and recreation; pipelines and transmission lines; public safety facilities; restaurants; rural recreation and camping; temporary events.
- b. **Floodplains.** Floodplain areas containing natural habitats shall be preserved in their natural state.
- c. **Trails.** New residential and commercial development shall be accompanied by construction of trails adjacent to San Luis Obispo Creek connecting the Avila Valley and Avila Beach recreation areas.

- F. **Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.

1. **Avila Valley.** The following standards apply only to Avila Valley (see Figure 106-1), to the specific areas listed.
 - a. **Limitation on use.** Land uses identified by Section 22.06.030 as being allowable, permitted, or conditional uses in the RS land use category may be authorized in compliance with the land use permit requirements of that Section, except: cemeteries and columbariums; child day care centers and family day care

homes; forestry; grocery stores; mobile home parks; nursery specialties; nursing and personal care; residential care; restaurants; rural recreation and camping; schools, elementary and secondary.

- b. **Permit requirement.** Conditional Use Permit approval is required for all uses (except secondary dwellings) prior to approval of a Tentative Map for land division. Preservation of existing views and scenic values are factors to be considered in the Review of the Conditional Use Permit.
- c. **Application content.** Conditional Use Permit applications shall include sufficient information to determine the proper method of sewage treatment and disposal based on site characteristics.
- d. **Site planning.** Proposed projects shall be planned in compliance with the cluster division provisions of Section 22.22.140. The minimum size for new parcels is 10,000 square feet, or as otherwise required by the method of sewage disposal to be used. Density credits will be given for open space and hazard lands, except for land within actual flood channels.
- e. **Tract 699.** The following standards apply to Tract 699, in addition to the standards in Subsections F.1.a through F.1.d, where applicable.
 - (1) **Density limitation - Land divisions.** Net density for Lot 28, including any open space lot subsequently created, is not to exceed one dwelling unit per 3.3 acres, consistent with sewage disposal requirements. Lot 31, the area offered for dedication to the County for open space and recreation purposes, shall have no dwelling unit entitlement. No other lots within Tract 699 shall be re-subdivided or split into lots of lesser size than the original lot.
 - (2) **Location requirements.** Development of Lot 28 shall be primarily located east of a line extending along the north-south ridge running through the property, with landscape screening where needed, so that development is generally out of view of San Luis Bay Drive. A maximum of three dwelling units may be located west of the north-south ridge, subject to the following criteria.
 - (a) Development shall be partially screened from San Luis Bay Drive with landscaping conforming to the character of the natural landscape of the surrounding area.
 - (b) As part of the required Conditional Use Permit application, a visual analysis shall be prepared by a consultant approved by the Environmental Coordinator that analyzes three dimensional building envelopes for dwellings and accessory structures. A

conceptual grading analysis shall also be prepared. The conceptual grading analysis and visual analysis shall demonstrate that the following criteria are met.

- i. All structures shall be located so that they do not extend above the horizon line of the ridgeline as viewed from San Luis Bay Drive.
- ii. Grading shall be minimized and retaining walls greater than three feet in height and all graded slopes shall not be visible from San Luis Bay Drive.
- iii. Setbacks from San Luis Bay Drive shall be maximized, but in no case shall structures be closer than 50 feet from San Luis Bay Drive.

(3) **Permit requirement.** Minor Use Permit approval is required for all uses except secondary dwellings prior to any grading or construction, to ensure compliance with the objectives and requirements of the approved Conditional Use Permit. Minor Use Permits are subject to the following criteria.

- (a) Plans shall be approved by the Architectural and Planning Board for Avila Valley Estates prior to submittal to the Department.
- (b) Buildings shall be placed within required building site envelopes unless an exception is approved through the required Minor Use Permit approval process.
- (c) Plans shall include grading plans which shall minimize grading and prohibit alteration of established drainage patterns.
- (d) Structures are limited to a single story unless proposals for taller structures will not appreciably increase obstruction of views and reduction of scenic values. Multi-level structures may be appropriate to reduce grading on sloping sites.
- (e) Design and landscaping shall harmonize with the natural landscape. Accessory uses, structures, and activities which conflict with natural aesthetic values shall be prohibited.
- (f) Plans shall include septic systems approved by the County Public Works and Health Departments. Engineered specialized septic systems shall be used unless conventional systems meet the conditions of tract map approval.

- (4) **Circulation and access.** Development on Lot 28 which generates additional traffic shall contribute a proportional share of fees and/or improvements to mitigate cumulative traffic impacts (as determined by a comprehensive traffic study prepared by the applicant or made available by others during the environmental review for the required Conditional Use Permit or subdivision application) on Avila Road and San Luis Bay Drive, if necessary. Traffic mitigation fees shall be required either as part of discretionary approvals or upon adoption of an ordinance establishing traffic mitigation fees.

Access for development on Lot 28 shall be provided by no more than two road connections to San Luis Bay Drive. The road connections shall be aligned with existing intersections where feasible and shall maximize sight distances.

- (5) **Mitigation of land use conflicts.** In order to mitigate potential land use conflicts between agricultural activities, the adjacent elementary school and proposed residential development, the required Conditional Use Permit for development on Lot 28 of Tract 699 shall address animal keeping, crop production and grazing and animal facilities uses. The criteria in the following items (a) through (d) shall be incorporated into the project design and/or conditions of approval of the Conditional Use Permit. Item (e) shall be addressed during the environmental review for the Conditional Use Permit.

- (a) A buffer area and fencing between agricultural uses and the elementary school shall be established as approved by the Director, the Agricultural Commissioner, and the San Luis Coastal Unified School District.
- (b) Animal densities shall be determined and barns, stables and animal enclosures shall be located away from the elementary school to minimize health, safety and nuisance impacts, in a manner approved by the Director in consultation with the County Environmental Health Division, and the San Luis Coastal Unified School District.
- (c) Agricultural practices will be governed by the Agricultural Commissioner's Office to ensure compliance with all applicable regulations and requirements regarding the use of restricted pesticides. Restricted pesticides shall only be used in accordance with a current restricted materials permit issued by the County Agricultural Commissioner.

- (d) Agricultural practices shall comply with all applicable requirements of the Water Quality Control Plan, Central Coast Basin regarding limiting water quality impacts to San Miguelito/San Luis Obispo Creek.
- (e) During environmental review, a plan shall be submitted by the applicant incorporating measures for minimizing potential impacts of nonrestricted pesticide use on the elementary school and proposed residential development. The plan shall be reviewed in consultation with the San Luis Coastal Unified School District and the County Agricultural Commissioner.

[Amended 1981, Ord. 2075; 1982, Ord. 2106; 1987, Ord. 2331; 1988, Ord. 2353; 1989, Ord. 2399; 1993, Ord. 2646; 2006, Ord. 3097]

2. **San Luis Bay Estates.** The following standards apply only to the San Luis Bay Estates (see Figure 106-2), to the specific areas listed.

- a. **Limitation on use.** Land uses within the residential clusters shall be limited to: home occupations; residential accessory uses; single-family dwellings; temporary dwellings; public safety facilities; public utility facilities; pipelines and transmission lines and storage accessory. The range of uses allowed shall be further refined through preparation of the project Master Use Permit, so that uses will be compatible with the character of each cluster.
- b. **Permit requirement.** Conditional Use Permit approval is required for each proposed residential cluster. Application materials submitted shall include details of siting, grading, structure locations, circulation within the cluster and connection to the overall circulation system, in addition to items required in the Master Use Permit.
- c. **Site area.** Where dwellings shall be built as multi-family units, the minimum area of buildable lots may be as small as 2,500 square feet.

[Amended 1987, Ord. 2321; 1989, Ord. 2399]

22.106.020 – Los Ranchos-Edna Village Standards

The Los Ranchos/Edna Village Specific Plan, adopted by the Board on June 5, 1984 in compliance with Resolution No. 84-238, as amended, is hereby incorporated into this Title as though it were fully set forth here. All development within the Los Ranchos/Edna Village Specific Plan area, as identified in Figure 106-4 shall be in conformity with the adopted Specific Plan and the standards contained therein. Any deviation of existing or proposed development from the provisions of the Specific Plan shall occur

only after appropriate amendment of the Specific Plan. The requirements of Section 22.96.040 also apply to lands within the Los Ranchos –Edna Village.

Figure 106-4: Los Ranchos/Edna Village Area Specific Plan Area

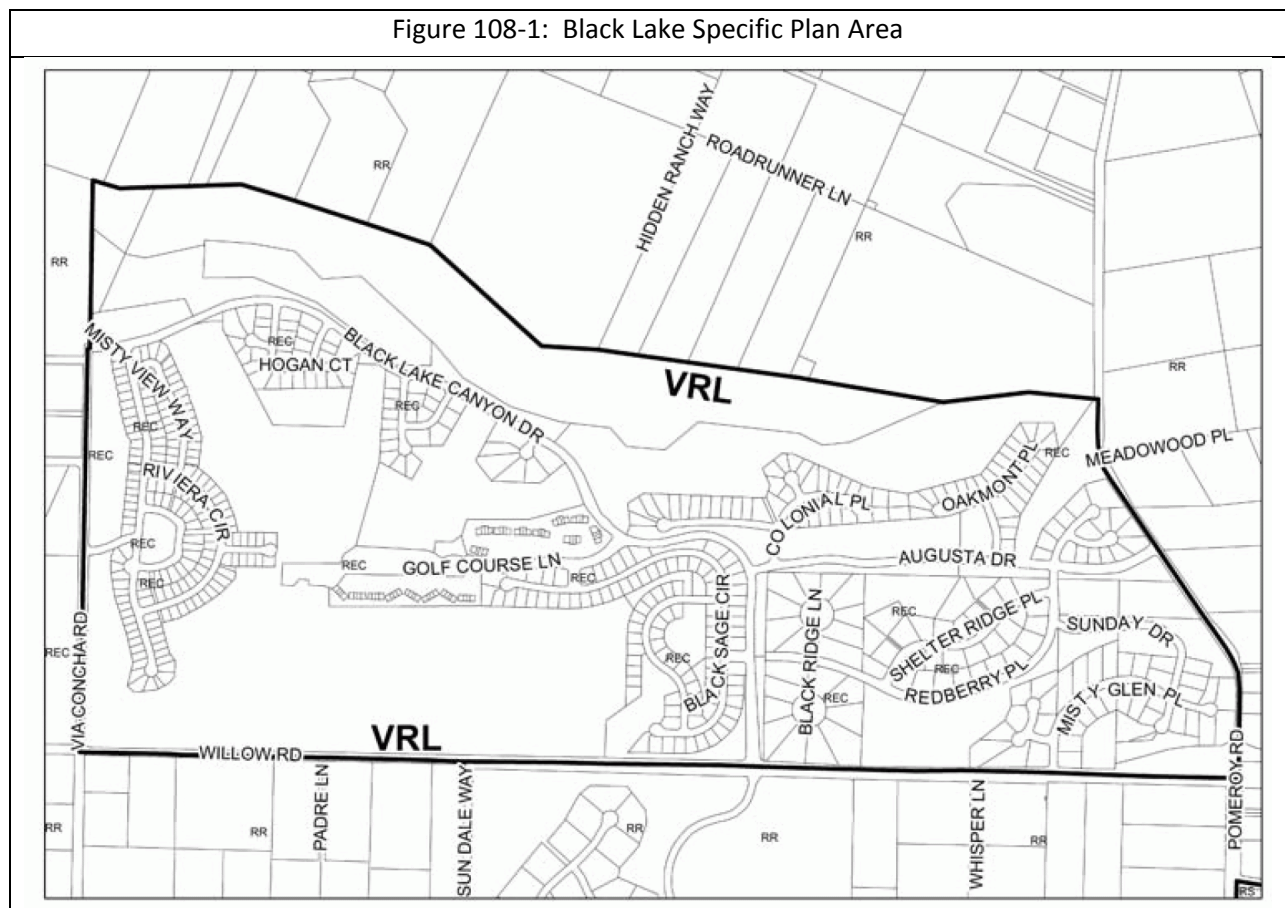


Chapter 22.108 – South County Area Communities and Villages

22.108.010 – Black Lake Village Standards

The 1983 Black Lake Specific Plan as amended is hereby incorporated into this Title as though it were fully set forth here. All development within the Black Lake Specific Plan Area (see Figure 108-1) shall comply with the adopted Specific Plan. In the event of any conflict between the provisions this Section and the Specific Plan, the Specific Plan shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan shall occur only after appropriate amendment of the Specific Plan.

Figure 108-1: Black Lake Specific Plan Area



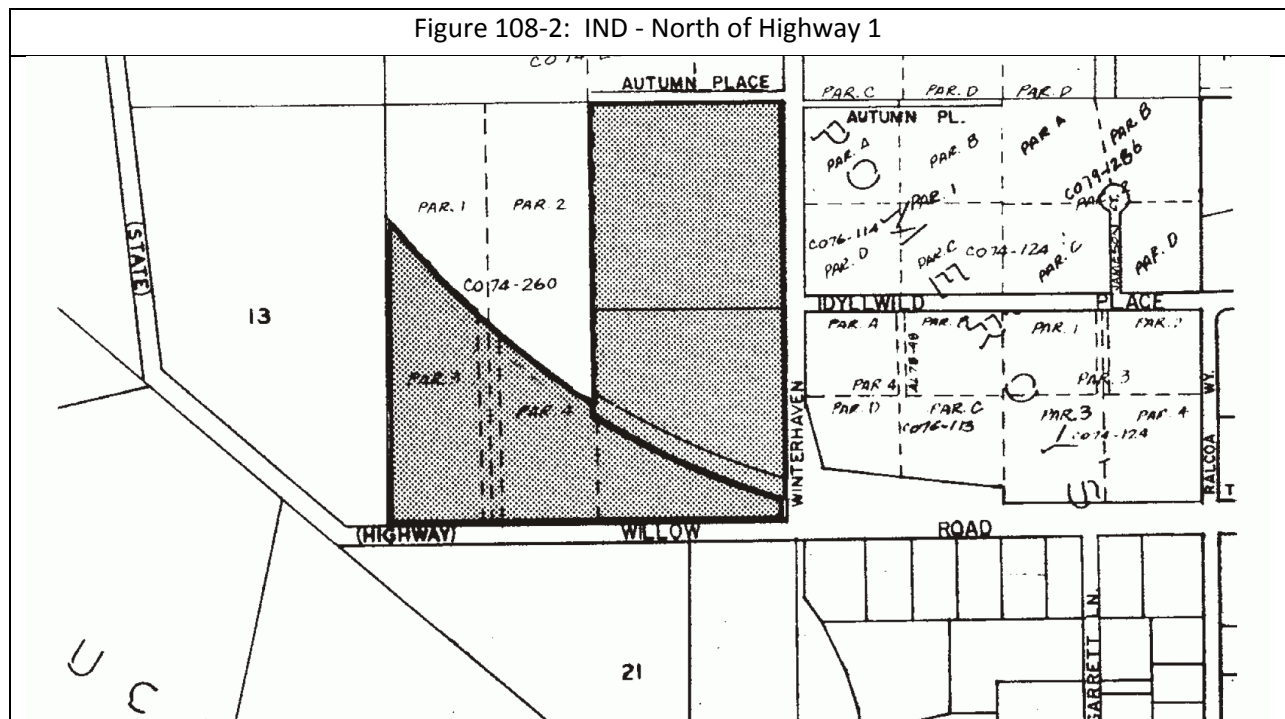
[Amended 1984, Ord. 2190; 1988, Ord. 2830]

22.108.020 – Callender-Garrett Village Standards

A. Community-wide standards. The following standards apply to all portions of the Callender-Garrett village area outside of the Coastal Zone.

1. **Access to Highway 1.** Land divisions and developments proposed adjacent to Highway 1 shall be designed to not have direct access to the highway, unless an alternative road access cannot be designed.
2. **Setback from Highway 1.** The building setback for properties adjacent to Highway 1 shall be a minimum of 50 feet. Retain a buffer of trees adjacent to the highway right-of-way. Eucalyptus may be removed unless benefits from visual character and monarch butterfly habitat warrant further protection. Where eucalyptus are removed, replace with native trees, retaining older, mature "landmark" eucalyptus where possible.

B. Industrial (IND) - North of Highway 1. The following standards apply to the area in the Industrial land use category north of Highway 1, shown in Figure 108-2.

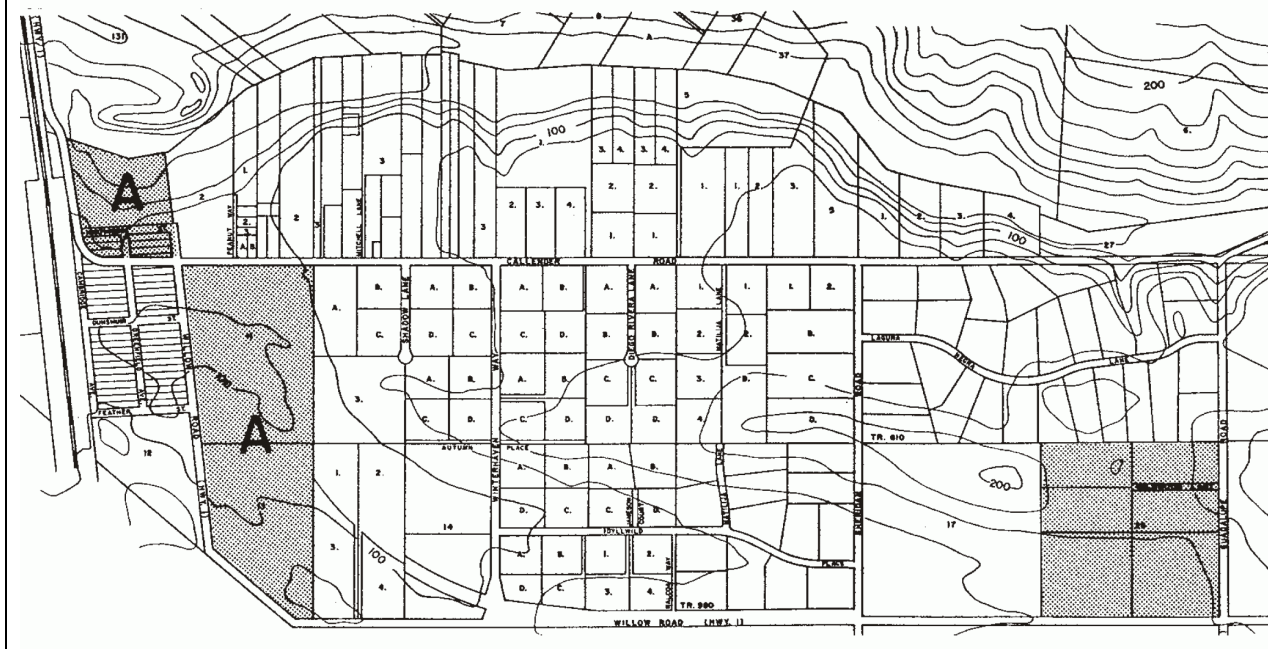


1. **Permit requirement.** Minor Use Permit approval is required for all new construction unless a Conditional Use Permit is otherwise required by this Title.
2. **Site planning.** Design sites for an "industrial-park" appearance, with an interior circulation system linking parcels, complementary building design, community water supply and sewage disposal facilities.

3. **Limitation on use.** All uses identified by Section 22.06.030 as allowable, permitted, or conditional within the IND land use category may be authorized subject to the land use permit requirements of that Section except: chemical products; metal industries-primary; petroleum refining and related industries; plastics and rubber products.

C. **Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.

Figure 108-3: RS - One-Acre Minimum Parcel Size



1. **Minimum parcel size.** Except as noted below, the minimum parcel size for new land divisions is 2.5 acres, unless a larger minimum parcel size is otherwise required by Chapter 22.22. For properties shown in Figure 108-3, the minimum parcel size is established by Chapter 22.22.
2. **Subdivision design - New land divisions for properties larger than 10 acres.** Include a conceptual design of the ultimate breakdown of the property with coordinated circulation to other properties, to demonstrate the feasibility of further land division.
3. **Setbacks.** Residences proposed on lots adjacent to the Industrial category shall be located at least 50 feet from the Industrial category boundary, to provide a buffer area from industrial uses. Accessory structures may be located within this setback area.
4. **Land division requirements.** Any proposed subdivision of land shown in area "A" in Figure 108-3 shall be accomplished through a resubdivision of up to 88 parcels presently with certificates of compliance that exist within the same ownership, representing the

owner's existing entitlements. The resubdivision shall utilize the cluster division criteria of Section 22.22.140 pertaining to parcel size and open area requirements. The following shall be achieved through the resubdivision:

- a. **Circulation.** The design of new residential parcels shall not allow direct access to Highway 1. Access to Highway 1 shall be gained through use of Callender Road and/or a new street access along the southwesterly portion of the property.
- b. **Open space.** The open space allocation requirement shall be located for the following purposes, at a minimum:
 - (1) Along the southerly portion of the property for community park purposes.
 - (2) Dedication of the Black Lake Sensitive Resource Area at the northerly end of the property.
 - (3) A pedestrian/equestrian path system.
 - (4) A visual buffer area between the adjacent residential and industrial areas and the cluster division.

22.108.030 – Los Berros Community Standards

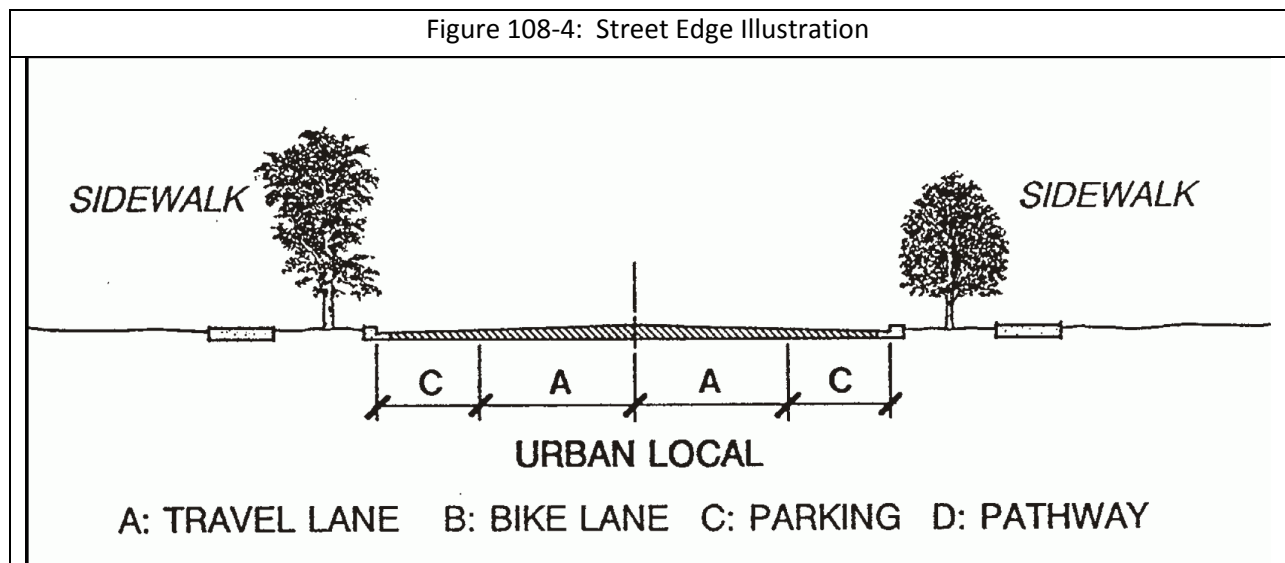
The following standards apply within the Los Berros village area to the land use categories or specific areas listed.

- A. **Community-wide standards - Water supply.** When a village-wide water system is constructed, all users shall connect to the system; individual wells shall be used for non-domestic purposes only.
- B. **Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.
 - 1. **Minimum building site required.** The minimum building site for any structure on properties located south of Los Berros Road is one acre.
 - 2. **Limitation on use.** All uses identified by Section 22.06.030 as allowable, permitted, or conditional in the RS land use category may be authorized subject to the land use permit requirements of that Section, except rural recreation and camping, and nursing and personal care.

22.108.040 – Nipomo Community Standards

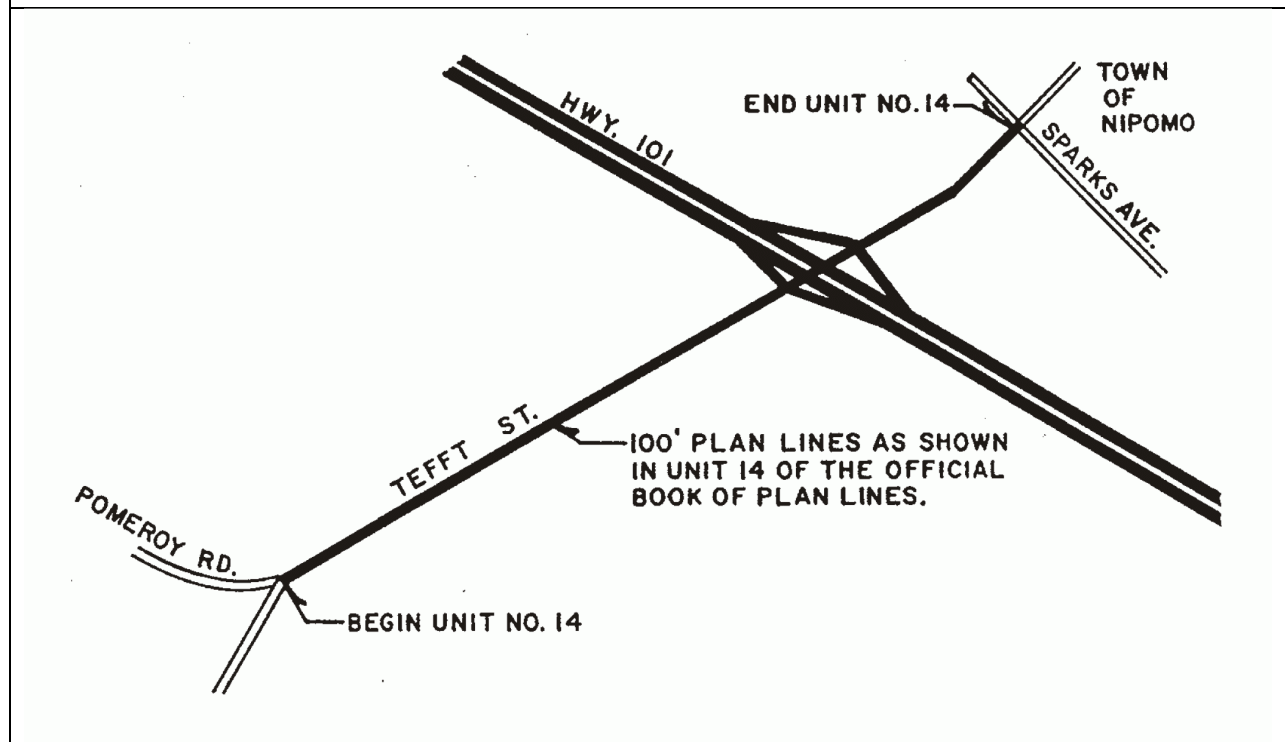
The following standards apply within the Nipomo urban area to the land use categories or specific areas listed.

- A. Community-wide standards.** The following standards apply to all land use categories within the Nipomo urban reserve line.
1. **Connection to community sewers.** New parcels within the Nipomo Urban Services Line shall be designed to provide for future connection to the community sewage system, except for the areas shown in Figure 108-20 - low density residential areas.
 2. **Right-of-way requirements for residential categories.** On all streets outside the central business district, an offer of dedication shall be made for parcels adjacent to public streets at the time of subdivision or new development, for a minimum 8-foot parkway between the curb and sidewalk, unless adequate right-of-way exists, as illustrated in Figure 108-4. The area of dedication may be included in the net acreage calculation of allowable density. Landscaping improvements shall be provided and include a minimum of one street tree per 50 feet frontage and lawn or low-maintenance plants.



3. **Plan Line for Tefft Street.** Building setbacks shall be measured from the 100-foot-wide plan line for Tefft Street between Pomeroy Road and Sparks Avenue, as shown in Figure 108-5.

Figure 108-5: Plan Line for Tefft Street



4. **Nipomo lowland areas - Drainage plan requirement.** All land use permit applications for new structures or additions to the ground floor of existing structures shall require drainage plan approval in compliance with Chapter 22.52 if the project is located within the area shown on Figure 108-6, unless the County Engineer determines that the individual project site is not subject to or will not create drainage problems.
5. **Creek preservation - Nipomo Creek.** Retain Nipomo Creek in an open condition within 50 feet of the floodway and incorporate it into site development with landscaping that is compatible with riparian habitat (as recommended by the Department of Fish and Game) as well as compatible with County drainage requirements. All other development, including pedestrian seating and pathways, must be at least 50 feet away from the floodway for Nipomo Creek. Within the central business district (CBD), this provision shall remain in effect until such time that this issue is further evaluated, defined and approved through the Nipomo CBD Design Plan.

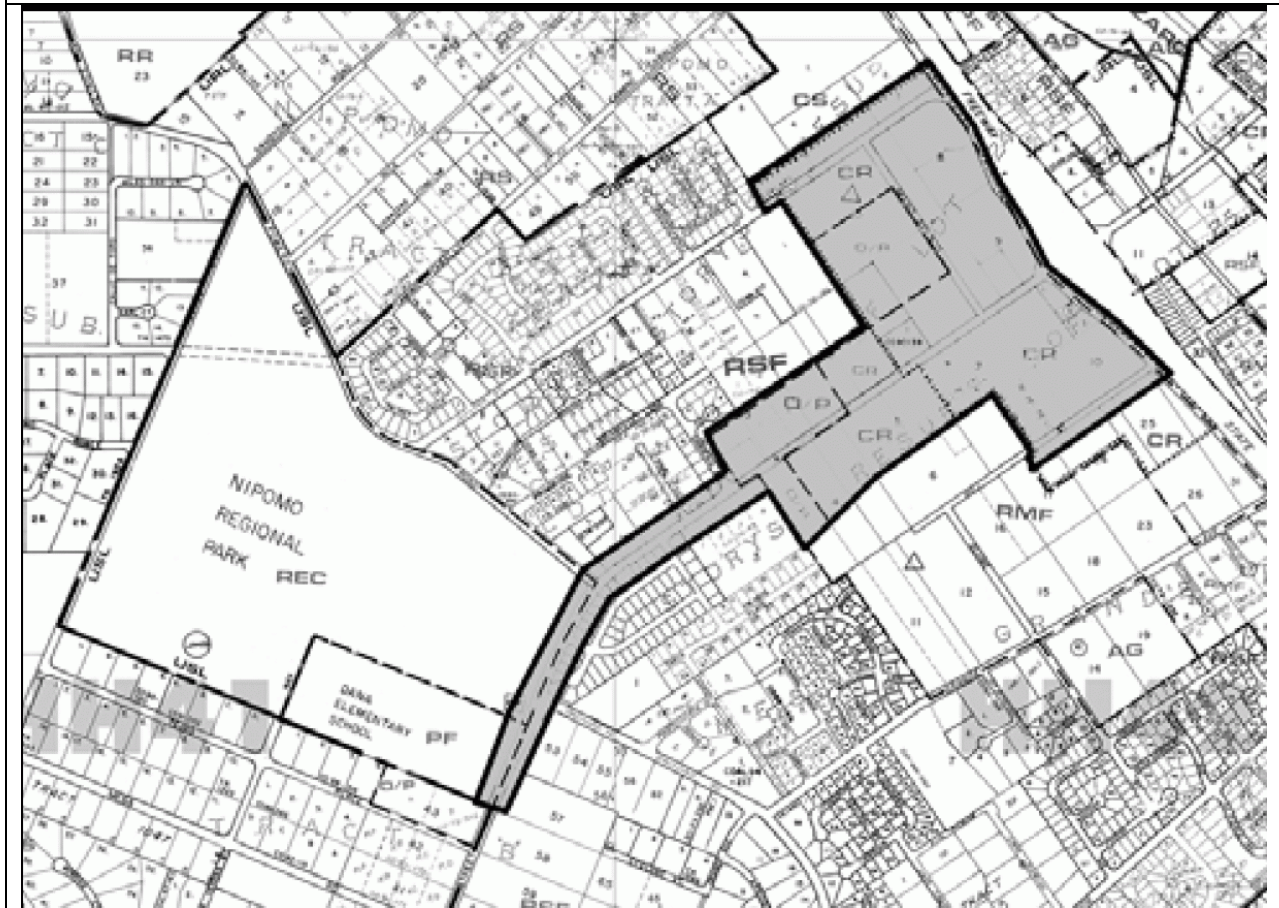
Figure 108-6: Nipomo Drainage Plan Requirements



6. **West Tefft Corridor Design Plan.** The following standards apply to the Commercial Retail, Office and Professional, Recreation, Public Facility and Residential Single Family land use categories within the area shown in Figure 108-7.
 - a. **Compliance with the West Tefft Design Plan.** The West Tefft Design Plan and any amendments thereto, is hereby incorporated into this Section as though it were fully set forth here. All Zoning Clearances, Minor Use Permit, Conditional Use Permit and land division applications within the West Tefft Design Plan Area (see Figure 108-7) shall be in conformity and compliance with the West Tefft

Design Plan. In the event of any conflict between the provisions of this Title and the Design Plan, the Design Plan shall control.

Figure 108-7: West Tefft Design Plan



- b. **Permit requirements.** Minor Use Permit approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
- (1). Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - (2). Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as "minor" Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the West Tefft Corridor Design Plan.

[Added 2007, Ord. 3119]

- B. Agriculture (AG) - Agricultural preserve status.** When the present agricultural preserve contract is terminated on the land within the Nipomo urban reserve line in the Agriculture land use category, the property owner shall initiate a request to amend the Land Use Element in order to determine the appropriate land use category to be placed on the property.
- C. Commercial Retail (CR).** The following standards apply within the Commercial Retail land use category.
1. **Central Business District (CBD).** The following standards apply within the Central Business District (CBD) area shown in Figure 108-8, to achieve an intensive, compact and pedestrian-oriented commercial development pattern. The CBD is divided into areas situated both east and west of Highway 101.
 - a. **Compliance with design and circulation plan required.** All land use permit and land division applications (located on the “east side” as delineated in Figure 108-8) shall be in conformity and compliance with the Olde Towne Nipomo Design and Circulation Plan dated October 28, 1998, which was adopted by the Board in Resolution No. 2865 and is on file in the Office of the Clerk of the Board of Supervisors, and which is hereby incorporated into this Title by reference as though fully set forth here.

Applicants and the general public are encouraged to read the Olde Towne Nipomo Design and Circulation Plan. The guidelines in the Plan are intended to provide for interpretation and flexibility in designing a project.

[Amended 1999, Ord. 2865]

Figure 108-8: Nipomo Central Business District



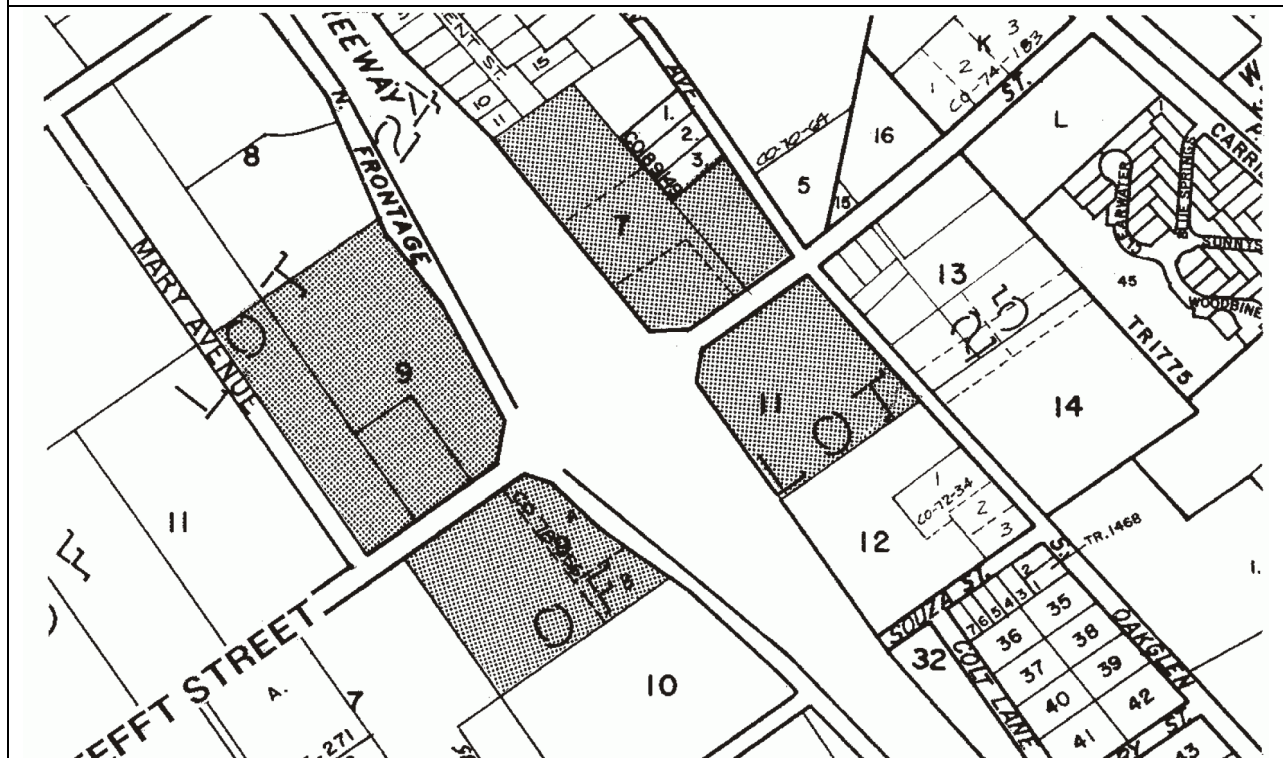
- b. **Permit requirements.** Minor Use Permit approval is required for all new construction or exterior alteration of existing structures where a land use permit is required by Section 22.06.030, except:
- (1) Minor exterior alterations, and expansions not exceeding 1,000 square feet, that are in conformance with the Olde Towne Nipomo Design and Circulation Plan; these projects are still subject to all other applicable permit requirements;
 - (2) Where Conditional Use Permit approval is otherwise required by this Title; and
 - (3) Projects located on the “west side” as shown in Figure 108-8, which shall be subject to the land use permit requirements established by Section 22.06.030, or applicable standards of this Article.

[Amended 1999, Ord. 2865]

- c. **Visitor-serving priority area.** Applications for visitor-serving uses are encouraged around the Tefft Street/Highway 101 interchange within the area

shown in Figure 108-9, particularly restaurants, grocery stores, gas stations, financial services, hotels and motels, personal services and transit stations.

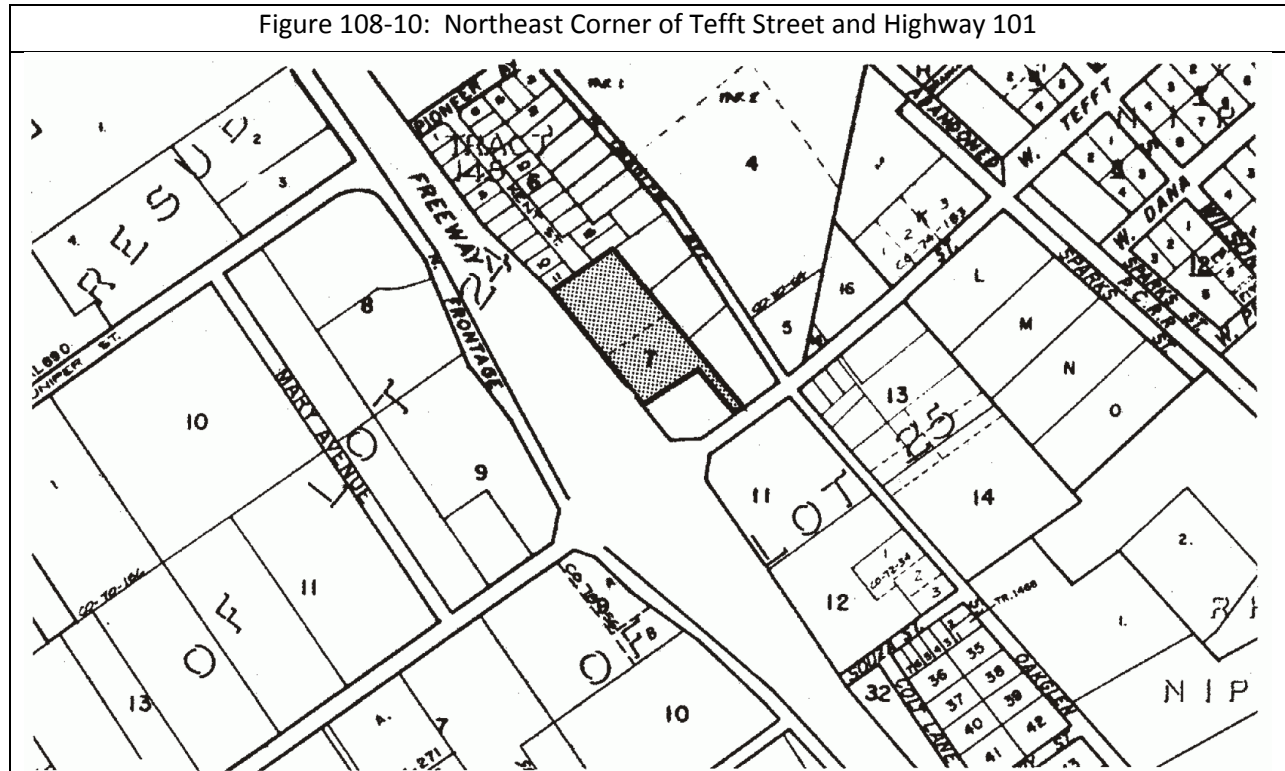
Figure 108-9: Preferred Visitor-Serving Area



- d. **Residential uses.** Mixed-use projects that combine residential uses with commercial or office uses are encouraged. Multi-family dwellings as a principal use may be authorized by Conditional Use Permit approval.
2. **Northeast Corner of Tefft Street and Highway 101.** The following standards apply only to Parcels 2 and 3 of Parcel Map CO 72-11, shown in Figure 108-10.
 - a. **Application content.** In addition to the requirements of Subsection C.1, applications shall include coordinated site planning for both parcels, however, the sites may be developed in phases. Primary access to both parcels shall be provided only from Tefft Street. Particular attention shall be given to location of uses, building design, signing, fencing, screening and landscaping to minimize potential conflicts with adjacent residential uses.
 - b. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the CR land use category may be authorized in compliance with the land use permit requirements of that Section, except: outdoor sports and recreation; public assembly and entertainment; recycling

collection stations; small scale manufacturing; auto, mobile home and vehicle dealers and supplies; and vehicle storage.

[Amended 1983, Ord. 2122]



3. **Neighborhood commercial centers.** The following standards apply to sites for neighborhood commercial uses, shown in Figure 108-11.

Guidelines. Commercial uses should be developed that serve neighborhood daily shopping needs and that are compatible with and complement nearby residential uses. Small-scale businesses should be scaled to serve neighborhoods within a one-half to one mile radius.

- a. **Limitation on use.** Land uses shall limited to the following, in compliance with the land use permit requirements of Section 22.06.030: grocery stores; restaurants; offices; financial services; personal services; consumer repair services; general retail; building materials and hardware; indoor amusements and recreation; gas stations; and multi-family or caretaker dwellings, except that gas stations shall not be allowed within Area "A" on Figure 108-11.

Figure 108-11: CR - Neighborhood Commercial Sites



b. **Zoning Clearance and Site Plan Review requirements.** The following standards apply to projects requiring Zoning Clearance (Building Permit) or Site Plan Review.

- (1) **Limitation on floor area.** No store or use shall exceed 8,000 square feet of floor area, except that general retail stores shall not exceed 2,000 square feet each. General retail stores cumulatively for each site shall not exceed 25 percent of the total floor area.
- (2) **Sign limitation.** On-site free-standing signs are limited to monument signs.
- (3) **Setbacks.** Front and street side setbacks shall be 20 feet, except that where street-front entrances are provided on building frontages, up to 50 percent of such building frontage can be within 10-foot setbacks. Building locations shall have a maximum setback of 20 feet on at least 40 percent of the front and street sides before other on-site building locations are utilized.

For area "A" on Figure 108-11, the following setbacks apply. Front and street side setbacks shall be 20 feet, except that where street-front entrances are provided on building frontages, such building frontage can be within a 10-foot setback.

Setbacks shall be landscaped to buffer commercial development visually from nearby residential neighborhoods.

- (4) **Landscaping.** 15 percent of the interior site area, not including buildings, setbacks and parking areas, shall be landscaped meeting the standards of Chapter 22.16. Parking areas shall meet the standards of Section 22.18.040.F and G.
- (5) **Parking lot connections.** For area "A" on Figure 108-11, the parking lot design shall provide, at a minimum, for vehicle connection between adjacent commercial parcels and may provide for connection to adjacent non-residential sites.

c. **Minor Use Permit and Conditional Use Permit requirements.** Projects requiring Minor Use Permit or Conditional Use Permit approval should comply with the provisions of Subsection C.3.b and the following standards. Alternative designs may be allowed where the Review Authority determines that the intent of the standards is met.

- (1) **Architecture.** Buildings shall be designed to be compatible with the residential scale and character of nearby neighborhoods, through such means as utilizing pitched roofs, wood, wood-appearing or stucco siding, extensive use of eaves, arcades, moldings and ornamentation.
- (2) **Site planning.** Site planning should cluster buildings, visually link store entrances and show varied building footprints. Pedestrian access to the site and circulation between stores should be emphasized and be separated from parking, loading and service walks. The physical needs of pedestrians should be served by paved surfaces, outdoor seating, shade and landscaping. On sloping sites, development should respond to the site with stepped buildings yet achieve nearly level grades throughout the parking and building areas.

[Amended 1996, Ord. 2786]

D. **Commercial Service (CS).** The following standards apply within the Commercial Service land use category.

- 1. **Limitation on uses.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the CS land use category may be authorized in compliance with the land use permit requirements of that Section, except: ag processing; animal keeping; drive-in theaters; public assembly and entertainment; sports assembly; petroleum extraction; restaurants larger than 5,000 square feet; grocery stores larger than 5,000 square feet; general retail and personal services that are larger than 2,000 square feet each and that occupy more than 25 percent of the total floor area of a site; offices (except allowable in community gateway projects in Subsection D.4.); lodging

uses listed by Table 2-2, Section 22.06.030 in the “Services” use group; concrete, gypsum and plaster products; airfields and landing strips; gas stations; and truck stops.

The following uses are not permitted on properties that are adjacent to Residential Land Use Categories: collection stations; metal industries-fabricated; recycling and scrap; stone and cut stone products; auto and vehicle repair and service.

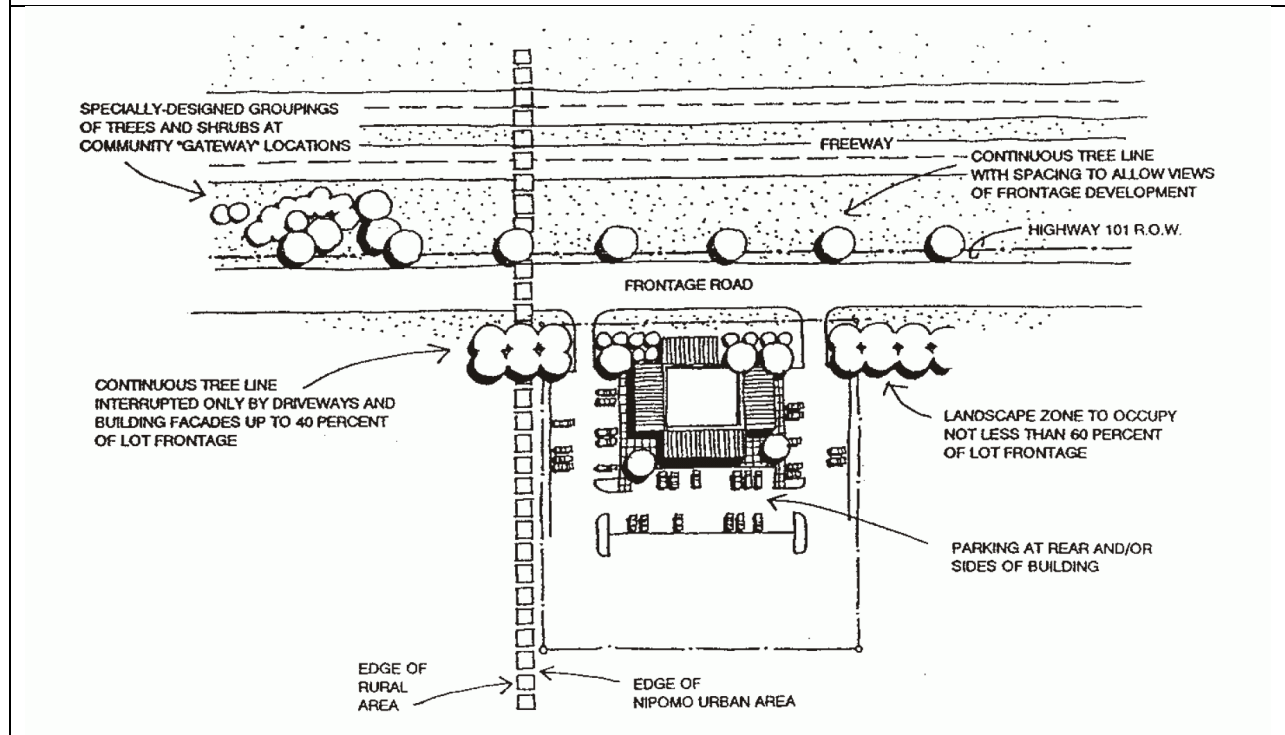
[Amended 1986, Ord. 2257]

2. **Site planning.** Buildings shall be located at the front setback, and street-corner side setback if applicable, and shall be oriented to the street with outdoor activity and parking at the side and rear. Design on-site circulation so that trucks can move forward through the site, except where infeasible because of site area or configuration. Locate loading areas or bays separate from parking aisles and driveways. Landscaping and fencing design shall be similar between uses, with a continuous canopy of trees along streets.

Where projects are located adjacent to residential land use categories, particular attention shall be given to building design, signing, fencing, downward-directed lighting and landscaping to minimize potential operational and visual conflicts.

3. **Architecture.** Building design shall extend elements that are utilized on the street-fronting sides, such as parapets, fascias, cornice lines or roof treatments, around the interior sides of buildings to provide an identity to the total project. Changes in materials shall occur only with an offset in the building facade. Projects that have retail uses or no identified tenants proposed shall utilize door and window moldings, separate shop entrance doors from bay doors, and eaves, awnings or other porch entries.
4. **Community gateway projects - Permit requirements.** Development of properties that front Highway 101 or South or North Frontage Road and are within one-quarter mile of the urban reserve line is subject to Minor Use Permit approval unless a Conditional Use Permit is otherwise required by this Title. Buildings shall be located at the street and street-corner side nearest to the urban reserve line, as illustrated in Figure 108-12. Landscaping shall occupy at least 60 percent of street frontage and provide a continuous line of trees. Buildings on such properties are encouraged to be at least two stories, with offices an allowable use as an incentive. Architecture shall be similar to the Dana adobe and early California Mission styles, with stucco walls and tile roofs and other details and ornamentation as required by the Olde Towne Nipomo Design and Circulation Plan. Vertical elements such as clock or viewing towers are allowed. A consistent design theme and use of materials shall be utilized throughout site development.

Figure 108-12: Community Gateway Development



5. **Sign height limitation.** Free-standing signs are limited to a height of 24 feet or no higher than the project's building, whichever is less.

E. Office and Professional (OP). The following standards apply only to land in the Office and Professional land use category.

1. **Compliance with CBD Design Plan.** After adoption of the CBD design plan (which shall include lands in the Office and Professional category), all proposed new developments or remodeling projects shall be in compliance with that plan.
2. **Development prior to approval of the CBD Design Plan.** Development applications shall comply with Standards 2 and 3 for the Commercial Retail category.
3. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional in the OP land use category may be authorized in compliance with the land use permit requirements of that Section, except: indoor amusements and recreation; public assembly and entertainment; elementary schools through colleges and universities; airfields and landing strips.
4. **Residential uses.** Multi-family and single-family dwellings as incidental uses may be authorized by Minor Use Permit approval, subject to the standards and findings required by Section 22.30.490.

F. Recreation (REC) - Dana Adobe. The following standards apply only to the properties containing and surrounding the Dana Adobe, shown in Figure 108-13 in addition to the Historic combining designation standard in Section 22.12.030.A.

1. Limitation on use.

- a. Prior to completion of a future Southland Street interchange, land uses shall be limited to those identified as allowable, permitted, or conditional in the Residential Suburban land use category by Section 22.06.030, except for nursing and personal care, and residential care.
- b. After completion of a Southland Street interchange, all land uses that are identified by Section 22.06.030 as allowable, permitted, or conditional in the Recreation land use category may be authorized in compliance with the land use permit requirements of that Section.

2. Permit requirement. The development of any non-agricultural or non-residential uses shall comply with the Site Master Plan on file with the Department and shall be subject to Conditional Use Permit approval. The Conditional Use Permit shall identify the area to be developed, the types of uses to be established, and an architectural motif compatible with the adobe itself.

3. Subdivision requirement. All new subdivisions on the site of the Dana adobe shall be clustered in compliance with Chapter 22.22. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency, or appropriate caretaker organization for maintenance and improvements. Funding shall be provided to contribute to the improvement of the adobe and its site in an amount to be determined through the subdivision review process. The residential lots shall be located a compatible distance from the adobe. The architecture of structures within the subdivision shall be compatible with the adobe, through the use of deed covenants, conditions and restrictions (CC&Rs).

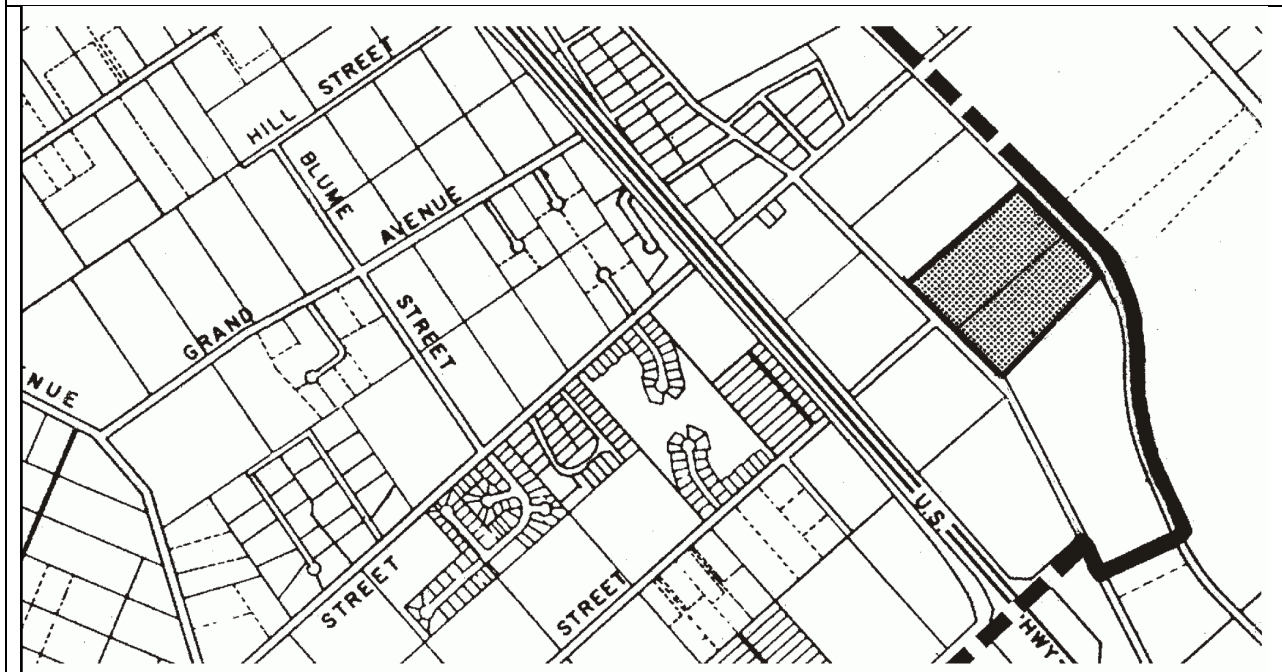
4. Development requirements. Siting and architecture of both residential and non-residential uses shall be visually compatible with the Dana Adobe and located to minimize their appearance from the adobe. Physical linkage with the adobe site shall be designed that encourages pedestrian travel. Landscaping shall be utilized to buffer views between the adobe and development sites. An area shall be located around the Dana adobe site, to be offered for dedication to the County, another agency or appropriate caretaker organization for maintenance and improvements. Funding for the improvement of the adobe and its site at an amount to be determined through permit review shall be provided before occupancy of any proposed development.

Figure 108-13: Property Surrounding the Dana Adobe Property



- G. Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.

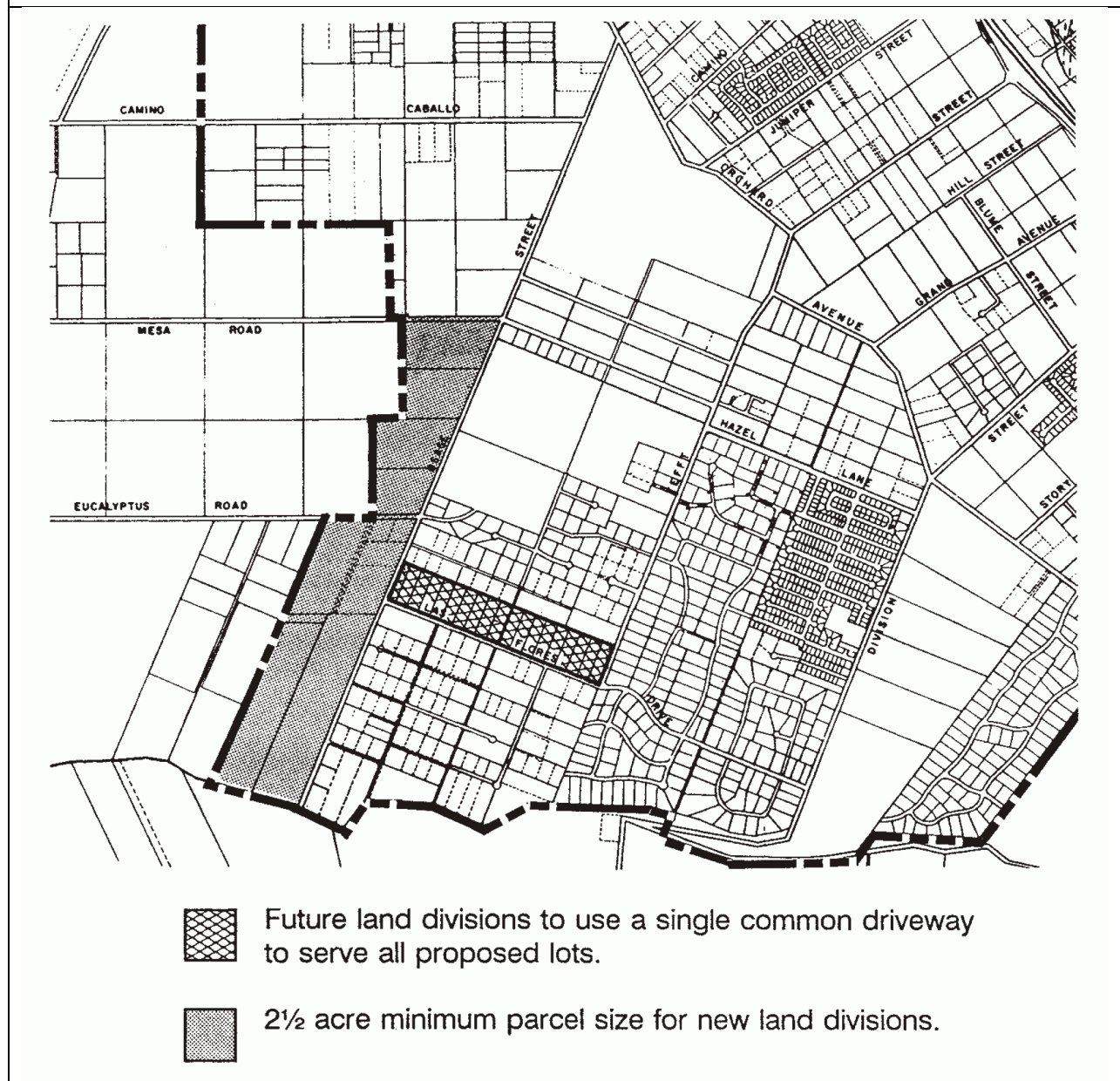
Figure 108-14: RS - Subdivision Open Space Requirement



1. **Dana Adobe vicinity - Subdivision requirement.** New land divisions of the properties shown in Figure 108-14 shall be designed to retain areas that are important views from the Dana Adobe property in open space. The developer may wish to investigate the cluster division provision in Section 22.98.070D. This standard applies in addition to the Historic combining designation standard in Section 22.98.020E.
2. **Osage Road area - Minimum parcel size.** Minimum parcel size for new land divisions west of Osage Road (see Figure 108-15) is 2½ acres, unless larger parcel sizes would otherwise be required by Chapter 22.22.
3. **Calimex Plantation Tract - New land divisions.** Future land divisions of the tier of lots on the north side of Las Flores Drive between Osage Street and Tefft Street (see Figure 108-15) shall utilize a single common driveway to serve all proposed lots.

[Amended 1982, Ord. 2106]

Figure 108-15: RS - Osage Road Area



4. **Pomeroy Road area.** The following standard applies to the parcels shown in Figure 108-16.
 - a. Subdivision requirements. Land divisions shall be clustered in compliance with Section 22.22.140. Cluster open space parcels shall be located along Pomeroy Road to create a visual and noise buffer for the residential parcels. Driveway access to parcels shall be from interior streets or Live Oak Ridge Road.

- (2) **10,000 square foot density area.** The minimum parcel size within the 10,000 square foot density area shown in Figure 112-60 is one acre prior to the provision of a community sewer system, except that 20,000 square-foot parcels may be allowed if granted an exemption by the Regional Water Quality Control Board.

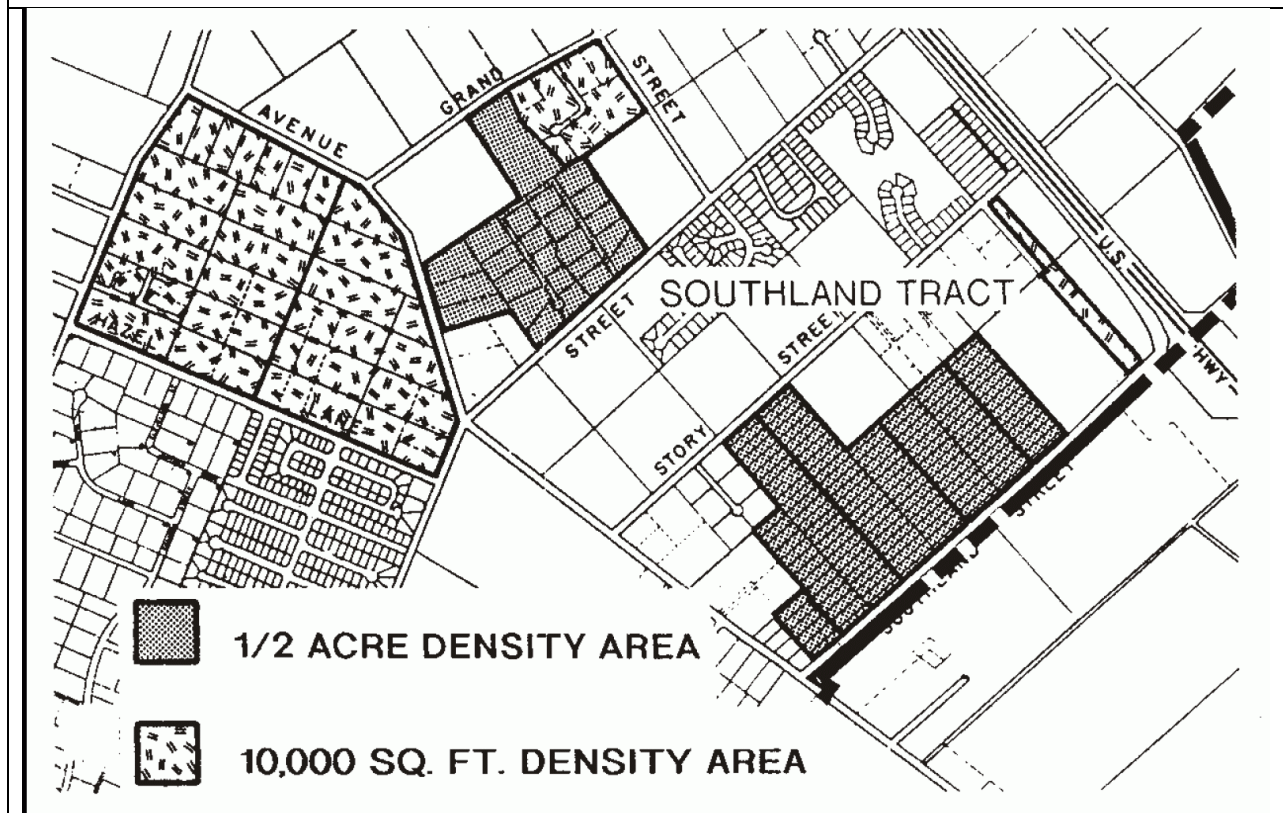
After the provision of a community sewer system, and the issuance of a will-serve letter to a proposed site by the applicable service-provider, the minimum parcel size shall be 10,000 square feet unless a larger parcel size is otherwise required by Chapter 22.22. Affordable housing projects that qualify in compliance with that chapter may have smaller parcel sizes than this base density.

Applications for 20,000 square-foot and larger parcels shall provide a conceptual plan for the ultimate division of the property into 10,000 square-foot parcels to show future circulation and subdivision design.

- b. **Minimum building site - Southland Tract A.** The minimum building site area is one acre for the Southland Tract A, shown in Figure 108-17, until community sewage disposal is available.
- c. **Subdivision requirements.** New subdivisions shall subdivide existing lots into blocks generally no longer than 1,300 feet perimeter and 400 feet in length, with alleys, where proposed, no more than 20 feet in width which shall be maintained by an owners association or other private entity.
- d. **Minimum setbacks - Properties with alleys.** The front setback on properties that have alleys located at the rear is 15 feet, if garages and driveways are located with access to the rear only.
- e. **Permit requirement.** Land divisions that propose parcels of one acre or larger before division shall be authorized by Minor Use Permit approval prior to approval of a Tentative Map. The Minor Use Permit shall indicate ultimate division, setbacks, open space corridors, building sites, utility extensions and offers of dedication for the ultimate street pattern.
- f. **Secondary dwelling minimum site area.** The minimum site area for the purpose of allowing a secondary dwelling is 10,000 square feet.

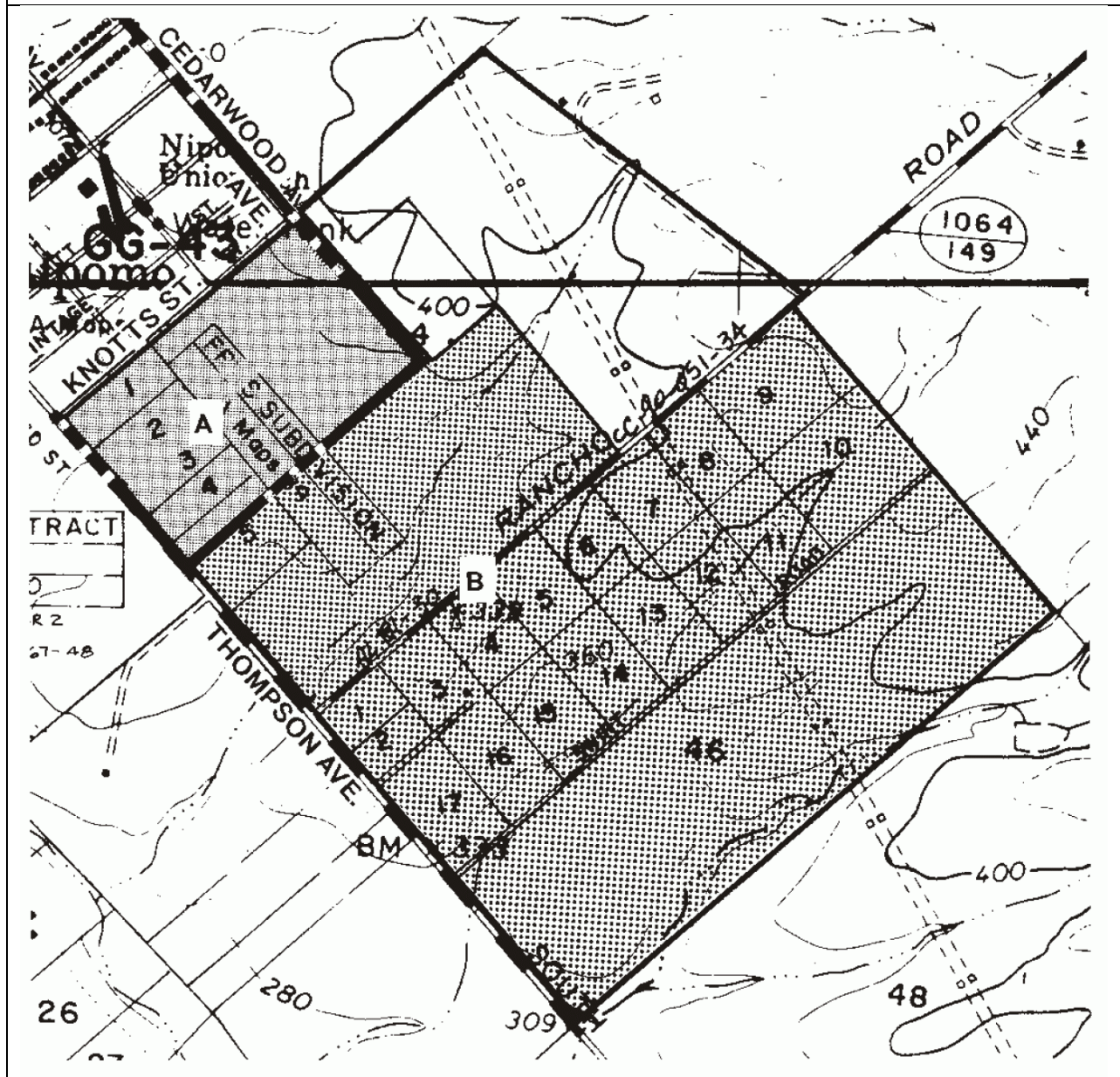
[Amended 1981, Ord. 2063; 1997, Ord. 2800]

Figure 108-17: RSF - Low Density Single Family Areas



2. **Knotts Street area.** The following standards apply only to the property southeast of Knotts Street, shown in Figure 108-18.

Figure 108-18: RSF - Knotts Street Area



- a. **Subdivision requirement.** New residential subdivisions within area "A" shown in Figure 108-18 shall be limited to a total of 46 parcels when accompanied by the following:
- (1) A re-subdivision of the parcels in area "B" to the minimum size for supporting productive commercial agriculture;
 - (2) Permanent agriculture/open space agreement(s) for area "B";

- (3) Adequate agricultural buffers to be determined through project review;
- (4) Dedication of approximately 10 acres within area "A" for a community park located optimally to serve the existing and new neighborhoods;
- (5) A lot pattern that locates smaller parcels near Knotts Street that are similar in size with the neighborhood, and larger parcels at the edge of the subdivision.
- (6) A trail/linear park easement shall be dedicated between Knotts Street and Rancho Road along Thompson Road.
- (7) A building setback of 100 feet from Thompson Road between Rancho Road and Knotts Street.
- (8) Street access to Thompson Road shall be limited to one point in addition to Knotts Street.
- (9) Reservation of sufficient, long-term water production capacity for both areas A and B shown in Figure 112-61.

- b. **Water supply.** A detailed hydro-geologic analysis shall be completed at the time of Conditional Use Permit application for the residential subdivision,. The analysis shall be prepared such that long-term water availability is determined to be adequate for the residential subdivision and the agricultural use of areas A and B shown in Figure 108-18. The data used in the analysis shall provide for conclusions with a high degree of certainty, and shall be based on 1) monitoring over a certain period (as recommended by the hydro-geologist), 2) recent, detailed existing information on water availability, or 3) a combination of these two.

I. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family land use category.

1. **Density limitations.** Multi-family development is allowable at a base density for areas as shown in Figure 108-19 using the medium density criteria in Chapter 22.22, except that the minimum open area shall include required setbacks and all areas of the site except buildings, parking aisles or driveways and parking spaces.
 - a. **Minimum density.** A minimum density of 10 units per acre is required for parcels larger than two acres.
 - b. **Density bonuses.** The base density may be supplemented by the affordable housing density bonus in Chapter 22.22. Where this standard allows 10 and 15

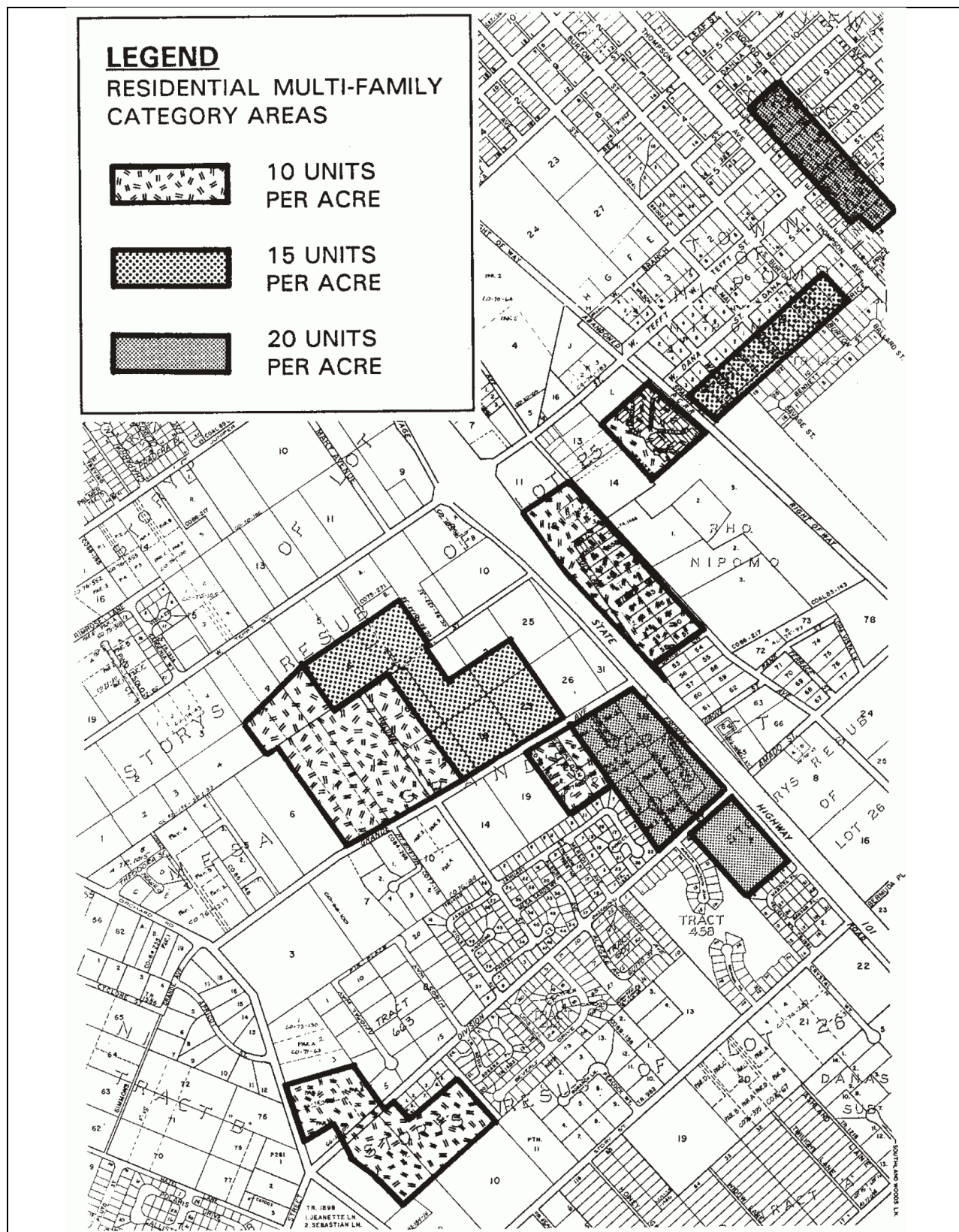
dwelling units per acre, the base density may be increased by adding up to 30 percent additional studio or one-bedroom dwelling units, of which 25 percent of the number of bonus units shall be designed to be handicapped accessible.

- c. **Density related to property size - West of Highway 101.** Subdivision of larger parcels is discouraged in the 10- and 15-units per acre areas within Figure 112-58, by limiting the allowable density for smaller lots. Allowable density as shown in Figure 108-19 shall be related to the size of the parent parcel(s), as follows:

ALLOWABLE DENSITY IN AREAS IN FIGURE 108-19 WEST OF HIGHWAY 101		
Size of Parent Parcel	Maximum Density (dwelling units per acre) Based on Location of Parcel	
	10 dwelling units per acre area	15 dwelling units per acre area
Less than .5 acre	6	9
.5 to 2 acres	8	12
Larger than 2 acres	10	15

- d. **Detached dwelling densities in 10-units-per-acre areas.** In areas with an overall density of 10 units per acre, detached single-family or duplex dwelling units are required, to achieve the appearance of a compact single-family neighborhood.

Figure 108-19: RMF - Residential Multi-Family Areas in Nipomo



2. **Permit requirement.** Minor Use Permit approval is required before any subdivision, lot line adjustment or development of five or more multi-family units, unless a Conditional Use Permit is otherwise required by this Title. The approval shall ensure a lot pattern, including the possibility of clustering, to accommodate building sites that provide a varied distribution of buildings and articulated building layout with usable open space area and a gradation to adjacent neighborhoods and the freeway to maximize compatibility and mitigation of potential noise impacts.

[Amended 1986, Ord. 2270]

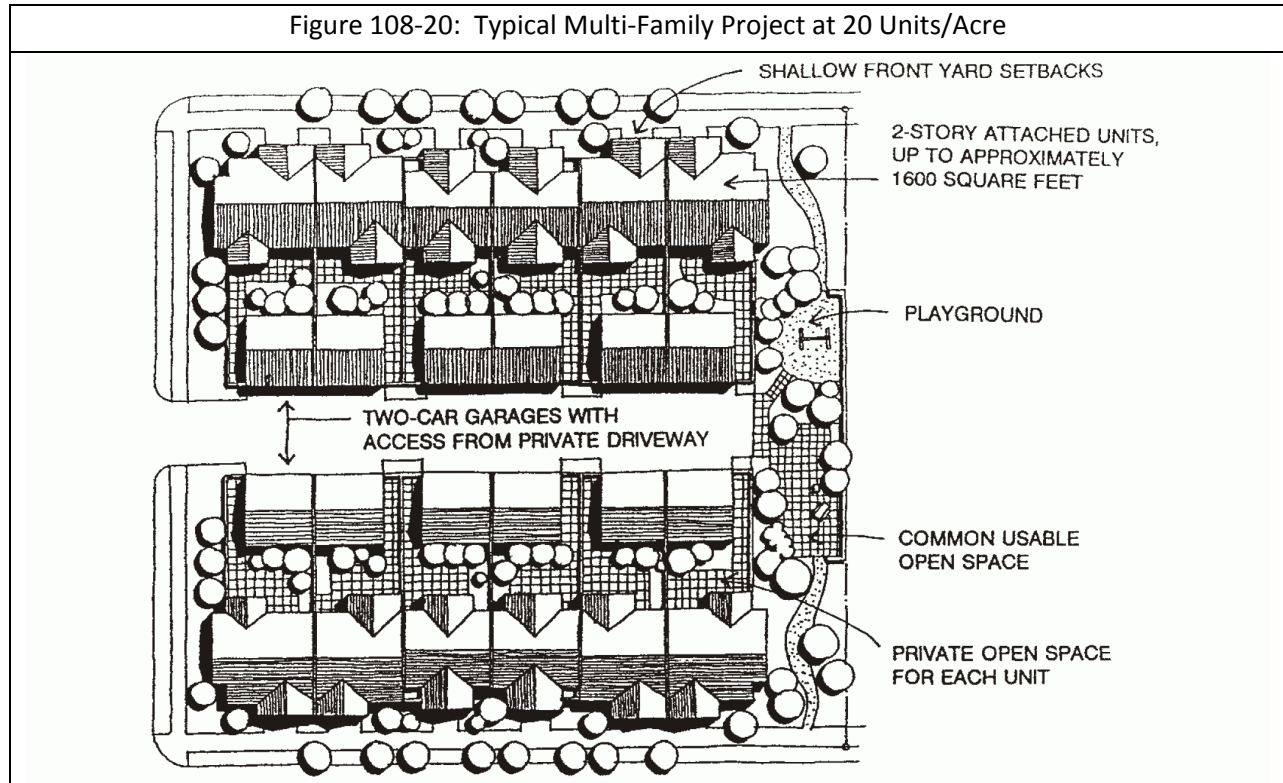
3. **Site planning criteria.** Site design shall provide a varied distribution of buildings, separated by usable private and common open spaces and parking areas. Vary the edges of buildings to avoid creating long straight sides. Use common open spaces and parking areas as illustrated in Figure 112-59 to separate the units from adjacent properties in other land use categories.
- a. **Private outdoor space.** Private outdoor space shall be provided with at least a 15-foot depth and width for ground floor units, and six-foot depth and 15-foot width for upstairs units.
- b. **Active recreation area.** Common area open space shall include at least one usable, active recreation area with the following area and features for every number of dwelling units listed:

Minimum Dwelling Units	Minimum Area	Features
4	250 sf	Table with benches, shade and playground equipment, for every 4 units.
40	300 sf	Above plus enclosed sheltered mail delivery point at vehicle and pedestrian focal points, in compliance with Postal Service regulations for multi-family dwellings.
60	800 sf	Above plus enclosed common room(s) with recreation equipment, meeting furniture and kitchen for every 60 subsequent units.

Examples: An eight-unit project would have at least 500 square feet of usable outdoor area, with two tables with benches and shades and playground equipment, as shown in Figure 108-

20. A 100-unit project would have a combination of passive and active playground areas totaling 6,250 square feet, enclosed mail rooms, and an enclosed common room.

Figure 108-20: Typical Multi-Family Project at 20 Units/Acre



4. **Subdivision requirements.** New subdivisions shall subdivide existing lots into blocks generally no longer than 1,300 feet perimeter and 400 feet in length. Alleys may be included if they are no more than 20 feet in width and are maintained by an owners association or other private entity. Where a specific condominium or planned unit development project is not proposed, a variety of lot sizes shall be proposed to accommodate smaller projects.
5. **Minimum setbacks - Properties with alleys.** The front setback on properties that have alleys located at the rear is 15 feet, if garages and driveways are located with access to the rear only.
6. **Road dedication requirement.** An offer of dedication shall be made for parcels adjacent to public streets at the time of subdivision or new development for an eight-foot parkway between the curb and sidewalk. Landscaping improvements shall be provided for street trees, lawn or low-maintenance plants.
7. **Nipomo Creek properties.** New development on properties with frontage along Nipomo Creek shall provide a 40-foot building setback for open space uses and access to the creek.

22.108.050 – Oceano Community Standards

The following standards apply within the Oceano urban reserve line to the land use categories or specific areas listed.

- A. **Communitywide.** The following standards apply to all land use categories inside the Oceano Urban Reserve Line.
1. **Oceano Specific Plan Included by Reference.** The 2001 Oceano Specific Plan, and any amendments made thereto, is hereby incorporated into this Title as though it were fully set forth here. All development within the Oceano Specific Plan planning area, which coincides with the Oceano Urban Reserve Line, is to be in conformity with the adopted Specific Plan, in addition to any applicable planning area standards. In the event of any conflict between the provisions of this Chapter and the Specific Plan, the Specific Plan shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan is to occur only after appropriate amendment of the Specific Plan. [Added 2002, Ord. 2968]
 2. **Curb, gutter and sidewalk required.** Curb, gutter and sidewalk is required with any project in the Ocean urban area, excluding the Halcyon area as shown on Figure 108-22, in all land use categories.
 - a. **When required.**
 - (1) Curb, gutter and sidewalk in the Industrial, Commercial Retail and Service, Office and Professional, and Residential Multi-Family land use categories is required to be installed as set forth in this section when such improvements do not already exist, and:
 - (a) The value of any new structures or changes to existing structures, items or equipment (that add value to the property but would be exempt from a construction permit or would not be subject to a “valuation” by the department) proposed during a period of 12 months (as indicated by all building permits issued for the site during the 12-month period) exceed 25 percent of the total of all improvements existing on the site as determined by the assessment roll or by a current appraisal. The appraisal shall be completed by an appraiser with a “Certified General License” issued by the State Office of Real Estate Appraisal and shall determine full market value of the parcel, allocating for land and existing site improvements based on the Uniform Standards of the Professional Appraisal Practices as published by the Appraiser Standards Board of the

Appraisal Foundation. Both of these methods shall be determined at the time of the first building permit (within the 12-month period) is applied for.

- (b) A new structure is moved on to a site (rather than constructed in place).
 - (2) Curb, gutter and sidewalk in all other land use categories is required to be installed as set forth in this section when such improvements do not already exist, and:
 - (a) The value of any new structures exceed 25 percent of the total of all improvements existing on the site as determined by the assessment roll or by a current appraisal. The appraisal shall be completed by an appraiser with a “Certified General License” issued by the State Office of Real Estate Appraisal and shall determine full market value of the parcel, allocating for land and existing site improvements based on the Uniform Standards of the Professional Appraisal Practices as published by the Appraiser Standards Board of the Appraisal Foundation. Both of these methods shall be determined at the time of the first building permit (within the 12-month period) is applied for.
 - (b) More than 25 percent of the square footage of an existing structure is demolished and replaced.
 - (c) More than a 20 percent expansion of square footage of an existing structure is added.
 - (d) A new structure is moved on to a site (rather than constructed in place).
 - (3) Curb, gutter and sidewalk is required to be installed in new land divisions, in compliance with Title 21 of the County Code.
- b. **Extent of improvements.** Curb, gutter and sidewalk improvements are to be constructed along the entire street frontage(s) of the site, and also along the street frontage of any adjoining lots in the same ownership as the site.
 - c. **Exceptions.** Curb, gutter and/or sidewalk may be waived, modified or delayed as set forth in Section 22.54.030 of this Title.
 - d. **Design and construction.** Curb, gutter and sidewalk improvements shall be designed and constructed as set forth in Section 22.54.030 of this Title. Where there is existing curb, gutter and sidewalk, Public Works may determine that the

existing improvements have deteriorated so as to be unusable, or are improperly located, and that reconstruction of such street frontage improvements is required.

- e. **Timing of installation.** Curb, gutter and sidewalk improvements shall be completed as set forth in Section 22.64.090 (Project Completion), Section 22.64.110 (Occupancy with Incomplete Site Improvements) prior to occupancy, or Section 22.54.030G (Encroachment Permit Fee and Agreement Required) of this Title.

[Added 2001, Ord. 2944]

B. Combining Designations - Airport Review Area (AR).

1. **Limitation on uses within Airport Review Area.** Land uses shall be limited to those designated as "compatible" or "conditionally approvable" by the adopted Oceano County Airport Land Use Plan.
2. **Site design and development standards - Airport site.** New development projects in County-owned portions of the site of the Oceano County Airport shall be consistent with the adopted Airport Use Permit, and shall comply with all applicable provisions of the airport lease site standards instead of the provisions of Articles 3 and 4 of this Title.
3. **Site design and development standards - Private lands.** All development applications for the area within the boundary of the adopted Oceano County Airport Land Use Plan are subject to the development standards set forth in that plan, in addition to all applicable provisions of this Title. In the event of conflicts between the provisions of the Airport Land Use Plan and this Title, the more restrictive provisions shall prevail.

[Amended 1984, Ord. 2206]

C. Commercial Retail (CR)

1. **Permit requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as "minor" Minor Use Permits if they are determined to be categorically exempt from the California Environmental

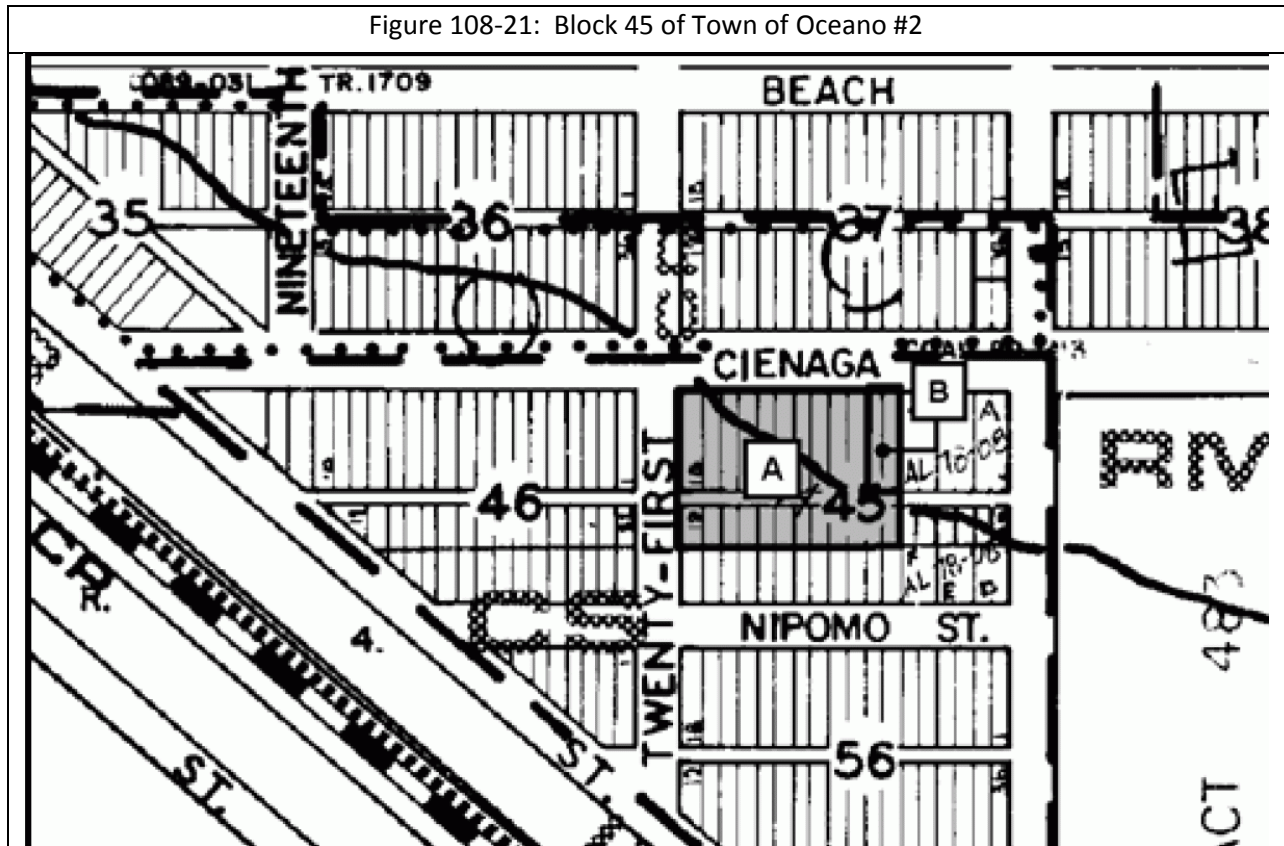
Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.

- c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
- d. Single-family residences and residential accessory structures, and agricultural accessory structures.
- e. Where Conditional Use Permit approval is otherwise required by this Title.

[Added 2002, Ord. 2968]

- 2. **Block 45 of Town of Oceano #2.** The following standards apply only to the Commercial Retail designated land in Block 45 of Town of Oceano #2, as shown on Figure 108-21.

Figure 108-21: Block 45 of Town of Oceano #2



- a. **Mixed Use.** Proposed residential uses shall be limited to upper floors or behind buildings fronting Cienaga Street.

- b. **Blank Walls.** Any project proposing development within 5 feet of side property line, excluding street side property lines, where California Building Code standards would require a firewall with no (or minimized) window openings and where the wall would be open to public view, the applicant shall develop an architectural relief plan for the side wall. The architectural relief plan shall include one or both of the following:
 - (1) Architectural features used on the northerly (Cienaga Street frontage) of the building shall be continued onto the easterly wall. "False" windows shall be used along the wall replicating the same window rhythm as that used on the northerly wall of the building.
 - (2) Artistic pieces shall be affixed to the wall. This may include sculptures and/or murals in compliance with Subsection 22.20.040.B.23. Artistic pieces shall be sufficient to minimize large blank portions of the wall.
- c. **Limitation on Use.** Land uses identified by Section 22.06.030 as allowable, permitted, or conditional within the Commercial Retail land use category may be authorized in compliance with the land use permit requirements of that section except the following uses: horse ranches and other equestrian facilities, kennels, zoos, recycling collection stations, mobile home and vehicle dealers, vehicle storage, dry cleaners, industrial launderers, beauty shops with manicure and/or pedicure services, funeral parlors, automobile service stations / gas stations, and printing and publishing.
- d. **Fast Food Restaurant Use.** No more than 15 percent of the floor area of the commercial use on a site shall be designated for fast food restaurant use.
- e. **Drainage.** At the time of application for a land use permit and/or building permit, the applicant shall submit a drainage plan in compliance with the requirements of Chapter 22.52 of the Land Use Ordinance. In no circumstance shall drainage shall be directed towards Highway 1.
- f. **Southeast Corner of 21st and Cienaga Streets.** The following requirements apply only to the to Site "A" as shown in Figure 108-21.
 - (1) **Design.** Future development on this site shall be mixed-use and incorporate the following:
 - (a) Residential density shall be greater than or equal to 10 units per acre.
 - (b) At least 15 percent of residential units shall be no larger than 900 square feet.

- (c) Parking shall be placed behind the structures fronting Cienaga Street.
 - (d) All buildings with street frontage shall face the street with visible entrances.
 - (e) Site design shall maximize solar access for residential units. At least 80 percent of residential units shall have south-facing windows.
 - (f) Landscaping shall be irrigated through drip irrigation.
 - (g) Pedestrian walkways shall be landscaped and illuminated with pedestrian-scaled elements.
 - (h) All residential units shall be provided with pedestrian access to the exterior sidewalks via pedestrian route where automobile access has minimum impact on the pedestrian experience (i.e. not a driveway).
- (2) **Parking.** Applicants proposing non-residential uses that do not qualify with a "general retail" parking calculation according to Chapter 22.18, shall prepare a parking plan. The plan will need to address the following, at a minimum:
- (a) A list shall be provided of all existing uses in the commercial buildings, including applicable details needed to determine parking calculations (i.e. square footage, percentage used for storage, number of barber chairs, etc.).
 - (b) An estimate shall be provided showing the number of parking spaces required for all existing uses based on the calculations in Chapter 22.18 of the Land Use Ordinance.
 - (c) For the purposes of the parking plan, vacant commercial space shall be assumed to be "general retail" with 90 percent of floor space for sales and 10 percent of floor space for storage.
 - (d) If parking calculations exceed the number of parking spaces provided for the commercial component under the Minor Use Permit or Conditional Use Permit for the mixed use development, a new Minor Use Permit (requiring special findings pursuant to Section 22.18.020.H.) for parking adjustment may be necessary to establish the use.

- (3) **Access.** Open area for a potential future easement shall be reserved on Site “A” in Figure 108-21 to ultimately facilitate rear access to Site “B” in Figure 108-21 from Twenty-First Street. Plans submitted for land use permits, subdivisions, and building permits, shall clearly delineate the possible future alignment of this access.

[Added 2008, Ord. 3162]

D. Commercial Service (CS)

1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the CS land use category may be authorized in compliance with the land use permit requirements of that Section except: drive-in theaters; concrete, gypsum and plaster products; marinas; hotels and motels; marine terminals and piers

[Amended 1986, Ord. 2257; 1987, Ord. 2331]

2. **Permit Requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as “minor” Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.
 - c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
 - d. Single-family residences and residential accessory structures, and agricultural accessory structures.
 - e. Where Conditional Use Permit approval is otherwise required by this Title.

[Added 2002, Ord. 2968]

E. Industrial (IND)

1. **Limitation on use.** All land uses identified by Section 22.06.030 as allowable, permitted, or conditional uses within the Industrial land use category may be authorized in compliance with the land use permit requirements of that Section except: drive-in theaters; petroleum refining and related industries; petroleum extraction; airfields and landing strips; marine terminals and piers.
2. **Permit Requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as “minor” Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.
 - c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
 - d. Single-family residences and residential accessory structures, and agricultural accessory structures.
 - e. Where Conditional Use Permit approval is otherwise required by this Title.

[Added 2002, Ord. 2968]

- F. Recreation (REC) - Limitation on use.** Land uses within the Recreation land use category between Highway 1 and the railroad right-of-way shall be limited to recreational vehicle parks in compliance with Ordinance 1215.

- G. Residential Single-Family (RSF).** The following standards apply within the Residential Single-Family land use category.

1. **Halcyon - Development standards.** All proposed uses within the Halcyon area (see Figure 108-22) shall comply with the provisions of Ordinance 1913, summarized as follows:

- a. The maximum residential density for the area shown in Figure 108-22 is 36 residential units. No more than 32 units shall be allowed on Site “A” and no more than 4 units shall be allowed on Site “B”.
- b. Clustering of residential units and submittal of a master Departmental Review to process more than one application to construct a residence at a time is permitted.

Figure 108-22: Halcyon (using image from Ordinance 1913)



2. **Southeast Corner of 23rd Street and Wilmar Avenue - Land division standards.** Prior to any division of the property at the southeast corner of 23rd Street and Wilmar Avenue, a subdivision plan indicating ultimate lotting and street layout shall be approved by the Commission as required by Ordinance 1590. Subsequent land divisions shall be consistent with the approved plan.

[Amended 1982, Ord. 2106]

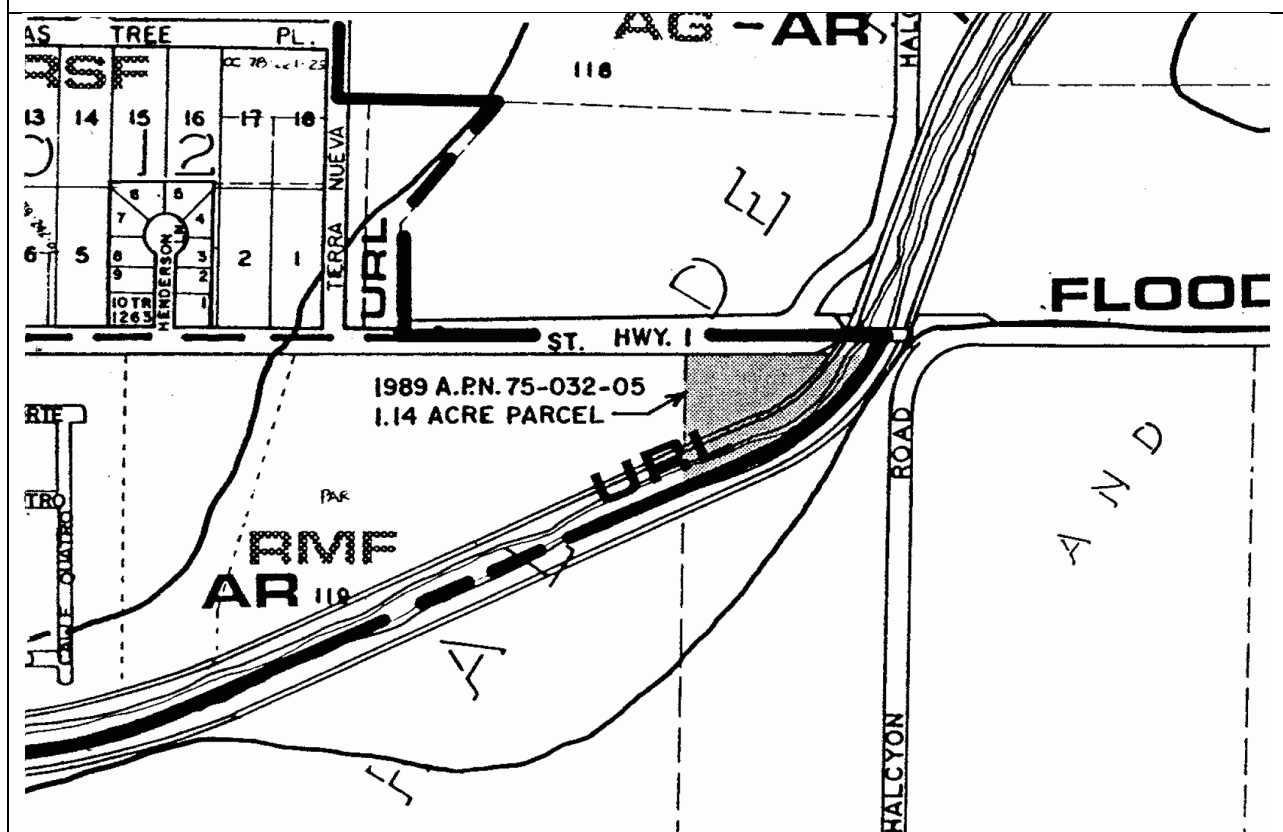
H. Residential Multi-Family (RMF). The following standards apply within the Residential Multi-Family land use category.

1. **Permit Requirement.** Minor Use Plan approval is required for all new construction or exterior alteration of existing structures where a land use permit is otherwise required by this Title, except for the following:
 - a. Minor exterior alterations, as well as expansions not to exceed 10 percent of the existing floor area, may be exempted from this requirement by the Director of Planning and Building. Such projects are still subject to other applicable requirements.
 - b. Exterior facade remodeling and expansions that exceed 10 percent of the existing floor area may be approved as “minor” Minor Use Permits if they are determined to be categorically exempt from the California Environmental Quality Act by the Director of Planning and Building and are in conformance with the Oceano Specific Plan.
 - c. New uses that are proposed to occupy existing development. Such uses are still subject to other applicable permit requirements.
 - d. Single-family residences, secondary dwellings and residential accessory structures, and agricultural accessory structures.
 - e. Where Conditional Use Permit approval is otherwise required by this Title.
2. **Maximum Density.** New multi-family development is not to exceed a density of 15 units per acre. Maximum floor area may not exceed 48 percent. This standard does not apply to development proposals accepted for processing by the Department of Planning and Building prior to the effective date of general plan amendments included in the Spring Cycle, 2002.

[Amended 2002, Ord. 2968]

3. **South of Highway 1.** The following standards apply only to the Residential Multi-Family land use category located south of Highway 1.
 - a. **Limitation on use.** Land uses shall be limited to the following, in compliance with the land use permit requirements of Section 22.06.030: mobile home parks; except that on 1989 Assessor Parcel Number 75-032-05 as shown in Figure 108-23, land uses shall be limited to: animal keeping; crop production and grazing; religious facilities; membership organization facilities; home occupations; one single-family dwelling or mobile home; residential accessory uses; public safety facilities; storage, accessory; pipelines and transmission lines; and public utility facilities. [Amended 1990, Ord. 2443]

Figure 108-23: Parcel Near Southwest Corner of Highway 1 & Halcyon Rd. - Oceano



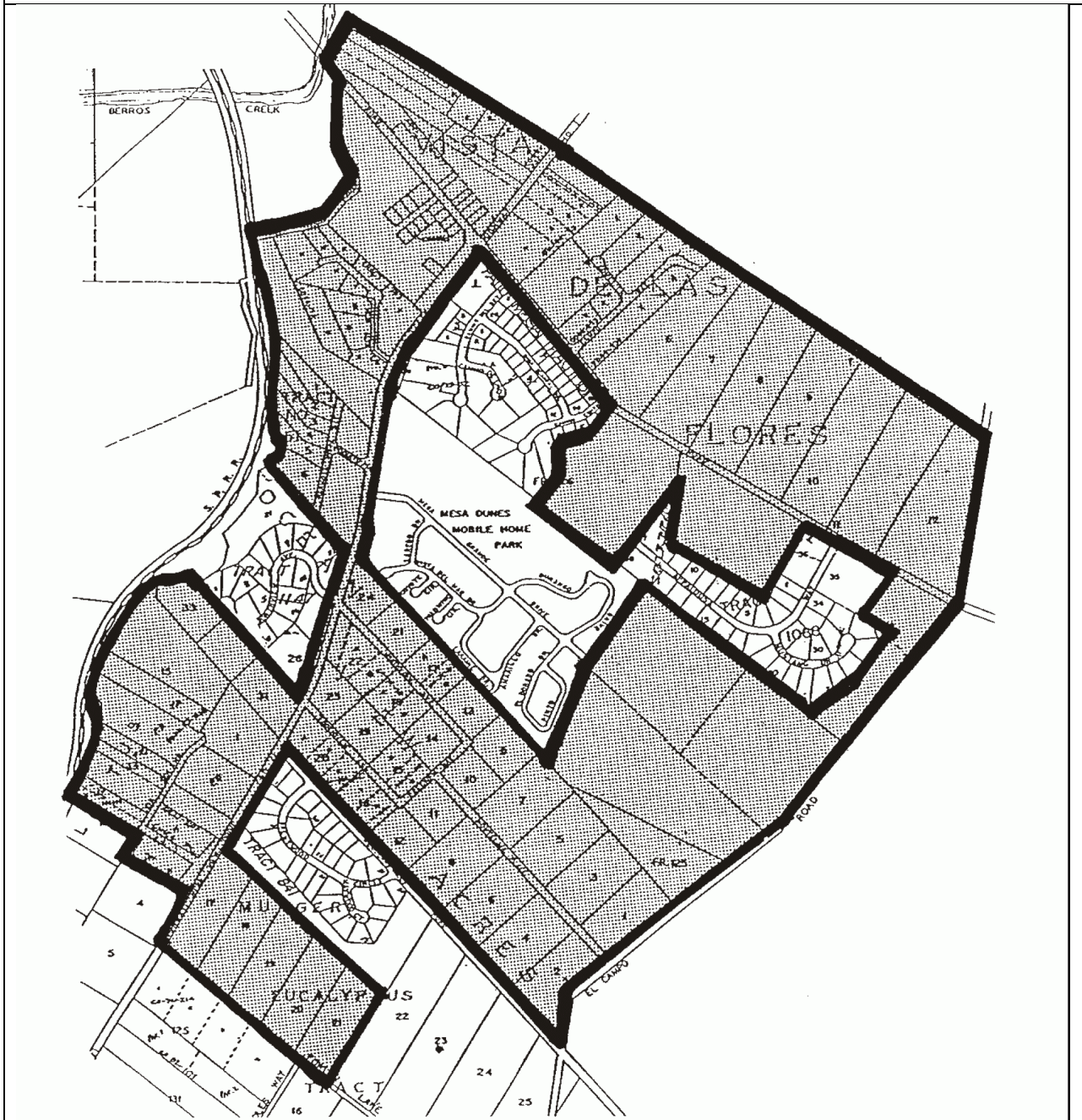
- b. **Density calculations.** Portions of property that comprise Arroyo Grande Creek channel and dikes are not to be used in computing overall density in proposed projects.

22.108.060 – Palo Mesa Village Standards

The following standards apply within the Palo Mesa village area in the land use categories or specific areas listed.

- A. **Community-wide standards.** The following standards apply to the entire village area.
1. **Water supply.** When a village-wide water system is constructed all users shall connect to the system; individual wells shall be used for non-domestic purposes only.
 2. **Drainage plan requirement.** All land use permit applications for new structures or additions to the ground floor of existing structures within the area shown on Figure 108-24, shall require drainage plan approval in compliance with Chapter 22.52, unless the County Engineer determines that the individual project site is not subject to or will not create drainage problems.

Figure 108-24: Palo Mesa Drainage Plan Requirements



3. **Circulation.** In addition to the circulation standards in Section 22.98.070C, development that is subject to Minor Use Permit or Conditional Use Permit approval shall provide adequate circulation measures to minimize an increase in vehicle turning movements to and from Highway 1 and Halcyon Road.

B. Commercial Retail (CR). The following standards apply within the Commercial Retail land use category.

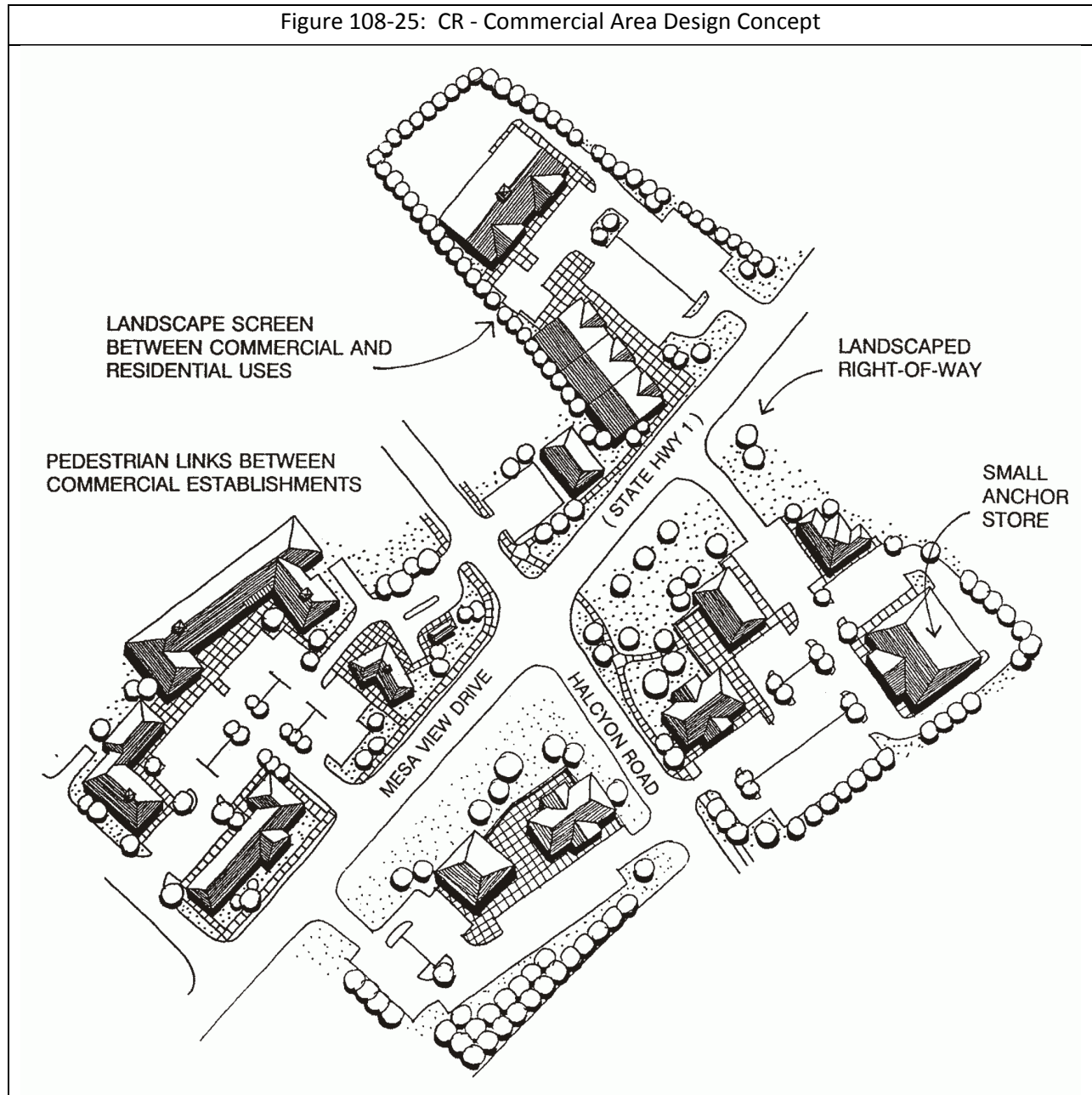
1. **Limitation on use.** Land uses shall be limited to: bars and night clubs; caretaker dwellings; consumer repair services; convenience and liquor stores; financial services; gas stations; general retail; hardware stores; indoor amusements and recreation; offices; personal services; restaurants.

[Amended 1997, Ord. 2800]

2. **Zoning Clearance and Site Plan Review requirements.** The following standards apply to all projects requiring Zoning Clearance or Site Plan Review. Applicants that cannot or choose not to comply with the provisions of this Subsection may instead apply for Minor Use Permit approval.
 - a. **Access.** Primary access on the east side of Highway 1 shall be from Halcyon Road.
 - b. **Limitation on floor area.** Each store or use shall be limited to 5,000 square feet of floor area, except that general retail, financial services and offices shall be no more than 2,000 square feet each. General retail cumulatively shall not exceed 25 percent of the total floor area on a site.
 - c. **Site planning.** Building entrances to uses shall be visible from the street. Building layout shall be varied as conceptually illustrated in Figure 108-25. Pedestrian access between on-site uses and adjacent commercial properties shall be provided. Loading and service areas shall be separated from other circulation areas. Street sidewalks shall be separated from curbs by parkways. Outdoor seating, shade and small plazas shall be provided.
 - d. **Architecture.** Architecture shall utilize pitched roofs with hipped or gable ends and eaves, wall materials that are linear wood or wood appearing siding, such as lap siding or channel tongue and groove, stucco, brick or stone. Changes in wall and roof planes shall occur at least every 30 feet by the use of offsets and directional shifts. Extensive use of moldings, cornices and other architectural ornamentation shall be provided.
 - e. **Sign limitation.** Free-standing signs shall be limited to monument signs.
 - f. **Setbacks.** Building locations shall have a maximum setback of 20 feet on at least 40 percent of the front and street-corner sides before other on-site building locations are utilized.

- g. **Landscaping.** At least 15 percent of the site area, not including buildings and setbacks shall be landscaped for shading, screening and pedestrian use of walkways, plazas and seating areas.

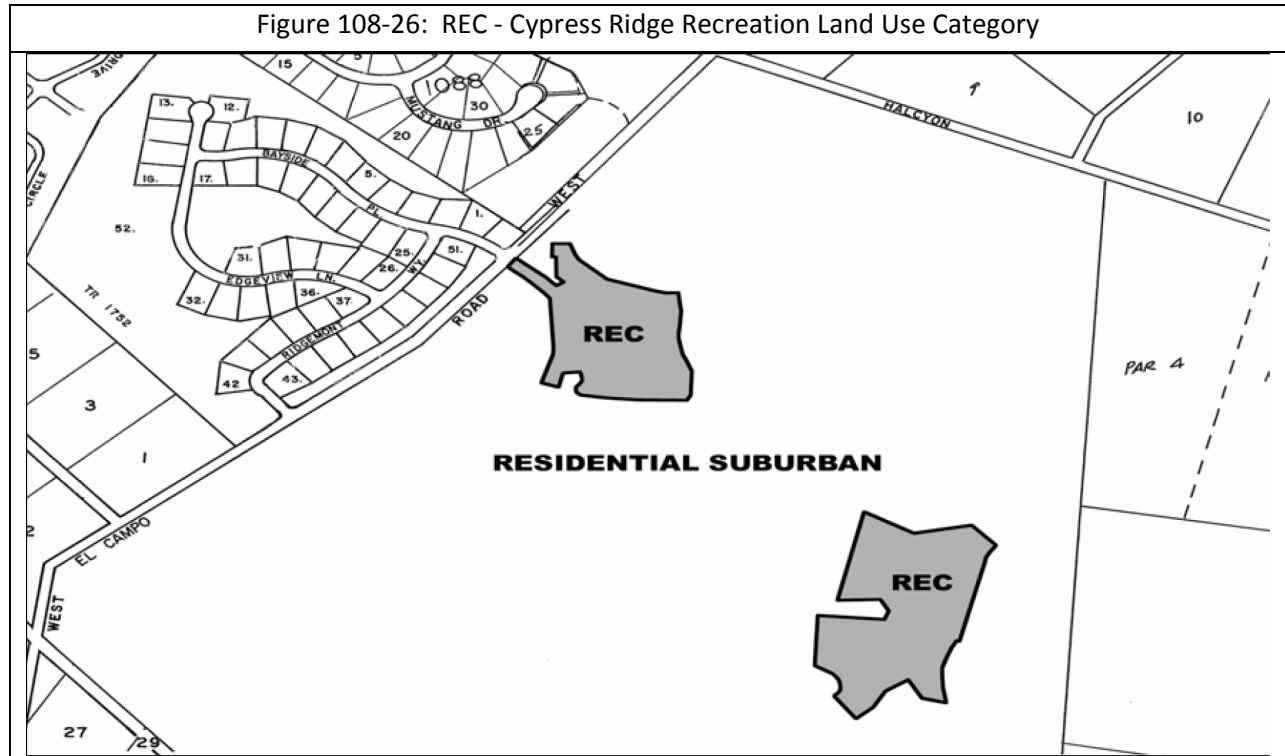
Figure 108-25: CR - Commercial Area Design Concept



3. **Minor Use Permit and Conditional Use Permit requirements.** Projects requiring Minor Use Permit or Conditional Use Permit approval shall conform with the requirements of Subsection B.2 as guidelines for new development. These standards may be modified

where the Review Authority determines that the intent of the standards is met by alternative designs.

- C. Recreation (REC).** The following standards apply within the Recreation land use category within the area shown on Figure 108-26.

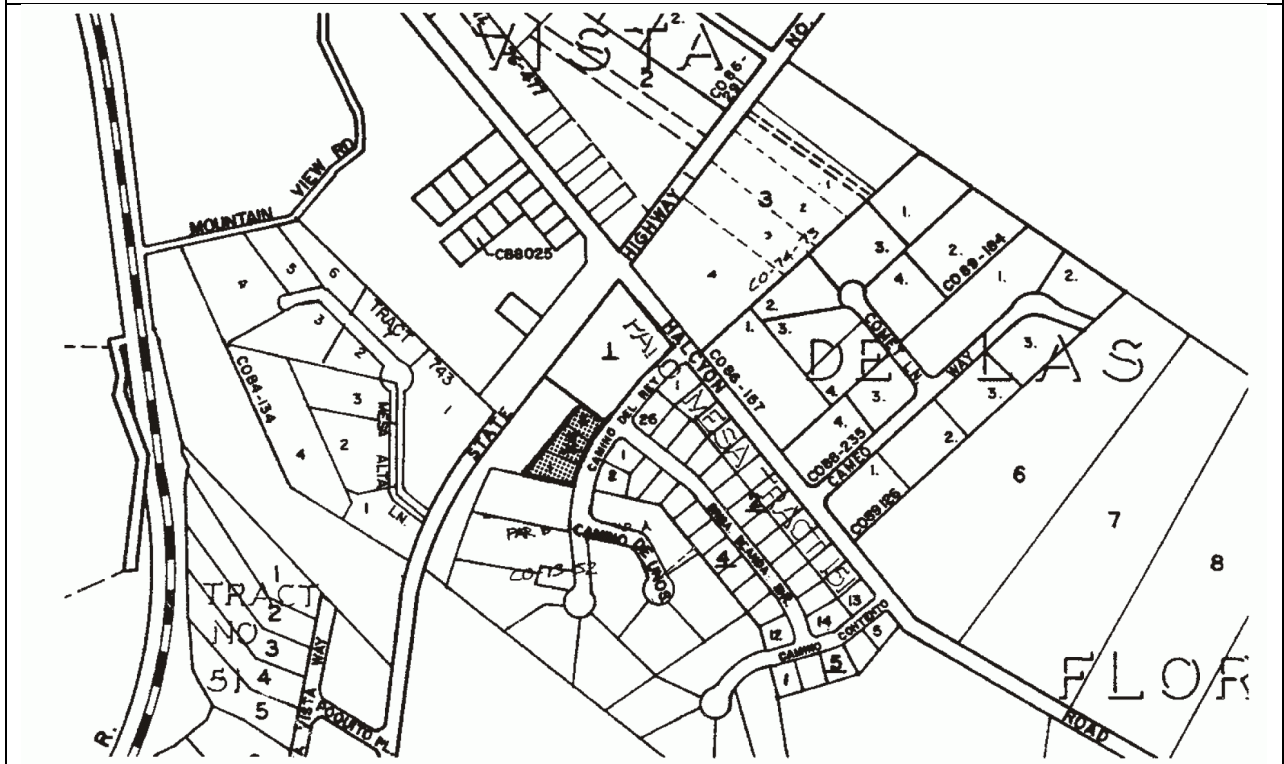


1. **Limitation on Use.** The allowed uses are as follows:
 - a. “previously-approved uses” per D890413D are allowed, including: golf course and related uses, specific commercial uses within the “Village Center”, single family residences, eating and drinking places;
 - b. additional uses as follows: hotel (not to exceed 103-units), a facility of an approximate 14, 000 square foot footprint (pro-shop, hotel registration, and full service restaurant (200 seat)), employee housing, additional “Village Center” use to allow general public to conduct meetings and social events, and child care facilities.
2. **Open Space.** Maintaining the open space as previously approved on the Development Plan/Subdivision (D890413D/TR1933); and
3. **Residential Density.** Not increasing residential density as set forth in the approved Development Plan/Subdivision (D890413D/TR1933).

[Added 2002, Ord. 2968]

- D. Residential Single-Family (RSF) - Access at Halcyon Road and Highway 1.** Uses within the Residential Single-Family land use category on Lots 1, 2 & 3, Block 3, Tract 151 (see Figure 108-27) shall have access only from Camino Del Rey, not from Highway 1.

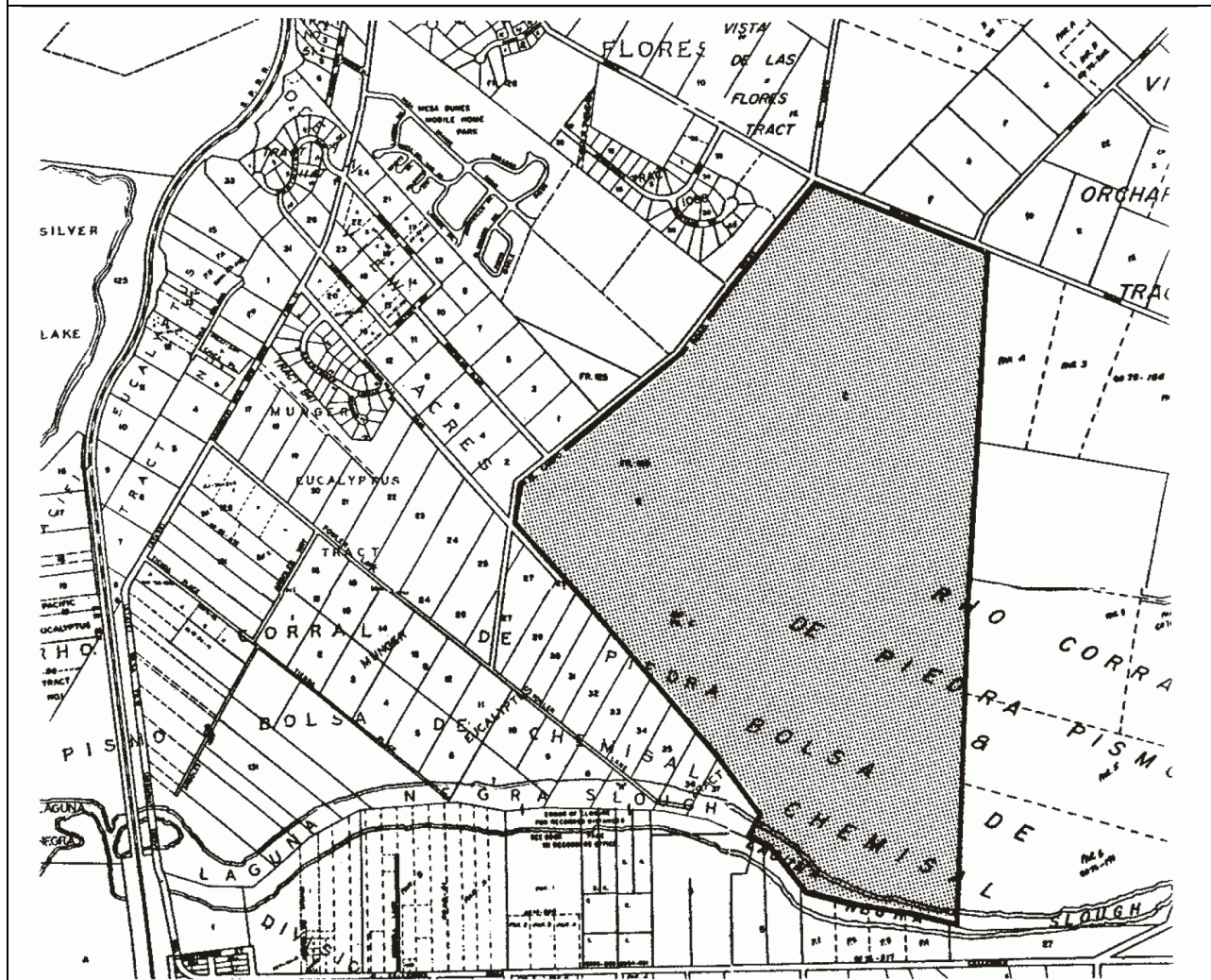
Figure 108-27: RSF - Southeast Corner of Halcyon Road and Highway 1



[Amended 1981, Ord. 2063]

- E. Residential Suburban (RS).** The following standards apply within the Residential Suburban land use category.
- 1. Access to Highway 1.** Residential properties shall gain access to Highway 1 by way of local streets wherever possible.
 - 2. Woodland Dairy.** The following standards apply only to the former Woodland Dairy property (see Figure 108-28).

Figure 108-28: RS - Woodland Dairy



- a. **Permit requirement - Specific Plan.** A Specific Plan shall be prepared in compliance with Government Code Section 65450 under the guidance of the County prior to the approval of further subdivision development of the property, although a clustered land division in compliance with Section 22.22.140 may be approved without Specific Plan approval.
- b. **Specific Plan objectives.** The Specific Plan shall be prepared to achieve the following objectives:
 - (1) Project design consistent with the resource carrying capacities of the site and vicinity and compatible with the suburban and rural residential character of the site vicinity.
 - (2) Protection of the resources of Black Lake Canyon.

- (3) Project design and development for residential clusters, recreational and incidental small-scale resort and retail commercial uses, with close proximity among and between uses achieving a central village orientation, with convenient pedestrian access to and within open space areas.
- (4) Formulation of methods to fund and implement areawide circulation, public service and facility improvements to support the population growth accommodated by the project and areawide development.
- (5) Use of reclaimed water to satisfy as much of the project non-potable water demands as possible.

c. **Specific Plan - Content.** Preparation of the Specific Plan shall include all information required by Government Code Sections 65450 et seq., and shall also include development and analysis of the following information:

- (1) Resource capacities of the project site and site vicinity including water, sewage disposal suitability, schools and traffic.
- (2) Site layout and development concepts for all uses on the property, including location of clustered residential sites and the proposed number of units within each cluster. Development shall utilize the cluster division provisions of Section 22.22.140 with a maximum density of one dwelling per acre.
- (3) A phasing plan for implementation of the project.
- (4) Circulation patterns and street alignments in the project that will minimize vehicle travel, with an emphasis on pedestrian and bicycle access to and through open space areas.
- (5) Proposed means of protecting the resources of Black Lake Canyon.
- (6) Proposed programs to study and where appropriate, to be part of the funding and implementation of areawide circulation, public facility and service improvements necessary to support the growth accommodated by the project and areawide development.

d. **Permit requirements - Development after Specific Plan.** The Specific Plan shall include a section that identifies the permitting and processing requirements for development of the property after adoption of the Specific Plan.

- e. **Site access.** Access to the project site is not to be from the south edge of the property in Black Lake Canyon. Proposed parcels within the development shall be accessed from the internal street system.
- f. **Community services.** Establish community water supply and sewage disposal systems. The community water system shall be integrated into a village-wide water system, if possible.
- g. **Mitigation measures.** The Specific Plan shall incorporate wherever possible the mitigation measures identified in the Final Environmental Impact Report prepared for the Bjerre General Plan amendment application (County file no. G831130:1).

[Amended 1985, Ord. 2239]

22.108.070 – Woodlands Village Standards

The 1998 Woodlands Specific Plan and any amendments thereto, is hereby incorporated into this Section as though it were fully set forth here. All development within the Woodlands Specific Plan Area (see Figure 108-29) shall be in conformity with the adopted Specific Plan. In the event of any conflict between the provisions of this Title and the Specific Plan, the Specific Plan shall control. Any deviation of existing or proposed development from the provisions of the Specific Plan shall occur only after appropriate amendment of the Specific Plan.

Figure 108-29: REC/CR/CS - Woodlands Specific Plan Area

